XIV. NON-PLANNING COMMISSIONER'S AGENDA

NEW ITEM

ITEM NO. 1 – 150172.... GRANT: 2015 CASINO GRANT FUNDS

Synopsis: Due to the Wyandotte County Parks Foundation not accepting the funds previously approved, Commissioners Walker and Murguia have submitted revisions to their 2015 Unified Government-Hollywood Casino Grant allocations.
Staff Request for Commission Action

Type: Blue Sheet Amendment
Committee: Full Commission

Date of Standing Committee Action:
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 6/25/2015

☑ Changes Recommended By Standing Committee (New Action Form required with signatures)

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<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref</th>
<th>Department / Division</th>
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</thead>
<tbody>
<tr>
<td>6/23/2015</td>
<td>Joe Connor</td>
<td>5030</td>
<td><a href="mailto:jleverich@wycokck.org">jleverich@wycokck.org</a></td>
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Item Description:
Due to the Wyandotte County Parks Foundation not accepting the funds previously approved, Commissioners Walker and Murguia have submitted revisions to their 2015 Unified Government-Hollywood Casino Grant allocations.

Action Requested:
For Review and Approval

☐ Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
☐ Included In Budget
☐ Other (explain)
Unified Government-Hollywood Casino Grant Fund  
2015 Grant Awards  
Commissioner Harold Walker

Total Amount of Funds to be Distributed $44,990.00

<table>
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<tr>
<th>Organization Name</th>
<th>Project Title</th>
<th>Grant Award</th>
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<tr>
<td>Ks Black Chamber Foundation</td>
<td>KC BLUE DOGS SPORTS MINISTRIES</td>
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<td>Argentine Eagles Post 213</td>
<td>Youth Softball Field Renovation</td>
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<td>Revolve</td>
<td>RevolveKCK Earn-a-Bike Program</td>
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<td>County Fair Foundation</td>
<td>Fair Ground Shooting Park</td>
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<td>Turner Community Connection</td>
<td>Healthy Turner Community Project</td>
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Total $44,990.00

__________________  ________________
Signature                  Date
Unified Government-Hollywood Casino Grant Fund  
2015 Grant Awards  
Commissioner Ann Murguia

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<thead>
<tr>
<th>Organization</th>
<th>Project Title</th>
<th>Grant Award</th>
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<tr>
<td>Argentine Betterment Corporation</td>
<td>A Healthy Active Argentine for All Ages</td>
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Total Amount of Funds to be Distributed $44,990.00

Total $44,990.00

Signature

Date
| Organization | Project Title | Request Amount of Money | After The Harvest | After Support Inc. | United Health Care of Northern Arizona | Kool Kids | Self-Rated School Year | KCLC (8th-12th) Outreach | $40,000
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I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION GIVEN BY REVEREND MICHAEL MAY (RET.), ST. LUKE’S LUTHERAN CHURCH

IV. PLEDGE OF ALLEGIANCE

V. REVISIONS TO JUNE 25, 2015 AGENDA

VI. CLERK’S STATEMENT
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any “set-asides” on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)

VII. PLANNING AND ZONING CONSENT AGENDA

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

IX. MAYOR’S AGENDA

X. NON-PLANNING CONSENT AGENDA

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES’ AGENDA

XIII. ADMINISTRATOR’S AGENDA

XIV. COMMISSIONERS’ AGENDA

XV. LAND BANK BOARD OF TRUSTEES AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

SERGEANT-AT-ARMS: CAPTAIN SCOTT BREASHEARS
VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. #3088 – BEN WILLIAMS/JULI, LLC

**SYNOPSIS:** Change of Zone from CP-1 Planned Limited Business District to CP-2 Planned General Business District for a restaurant with drive-through (Zaxby’s) at 2035 North 109th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL) (150030)

B. SPECIAL USE PERMIT APPLICATIONS

1. #SP-2015-25 – JEFFERY STEINBERG/APEX CDL INSTITUTE

**SYNOPSIS:** Special Use Permit for a commercial driver’s license training facility and job placement program for graduating students at 6801 State Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR ONE (1) YEAR) (150153)

2. #SP-2015-26 – ANTHONY ARNOLD

**SYNOPSIS:** Renewal of a Special Use Permit (#SP-2013-25) for boarding of four (4) horses (applicant amended application to two (2) horses) at 5539, 5549 and 5531 Sloan Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR TWO (2) HORSES FOR THREE (3) YEARS) (080216)

3. #SP-2015-28 – MARC AND PAMELA ROWE

**SYNOPSIS:** Renewal of a Special Use Permit (#SP-2013-29) for live entertainment in conjunction with existing vineyard and winery at 11255 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (070415)

4. #SP-2015-29 – RAFAEL CASTILLO-CARRERA

**SYNOPSIS:** Special Use Permit for the Temporary Use of Land to park a work vehicle in the driveway of the home at 2903 Shearer Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (150154)
5. #SP-2015-30 – JILL SCHULTZE WITH K-9 CLUB

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-27) for a dog day care at 221 South 22nd Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (070414)

6. #SP-2015-32 – DANIEL CHANG WITH EVERGREEN DAYCARE INC.

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-24) for a day care center at 1030 Orville Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (130177)

7. #SP-2015-33 – DR. KELLI MATHER WITH USD #500

SYNOPSIS: Special Use Permit for a second modular classroom at 1610 North 6th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (980324)

8. #SP-2015-34 – DR. KELLI MATHER WITH USD #500

SYNOPSIS: Special Use Permit for two (2) new modular classrooms to replace the existing four (4) modular classrooms at 641 North 57th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (150155)

9. #SP-2015-35 – BRANDON AND JANELLE PETERSON

SYNOPSIS: Special Use Permit for a bed and breakfast at 3200 North 115th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (150135)

C. VACATION APPLICATION

1. #A-2015-3 – MANUEL FLORES-MARTINEZ

SYNOPSIS: Vacation of an alley at 1022 Merriam Lane, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL) (150082)

D. PLAN REVIEW APPLICATIONS

1. #PR-2015-11 – JANENE ERVIN/KDC CONSTRUCTION, INC.

SYNOPSIS: Preliminary and Final Plan Review for an office and maintenance shop in conjunction with a trucking company at 7030 Kaw Drive, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL) (150116)
2. #PR-2015-12 – BEN WILLIAMS/JULI, LLC

SYNOPSIS: Preliminary and Final Plan Review for a restaurant with drive-through (Zaxby’s) at 2035 North 109th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL) (150030)

3. #PR-2015-14 – MATT SCHLICHT

SYNOPSIS: Preliminary and Final Plan Review for a new auto dealership at 1900 North 100th Terrace, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL) (150156)

E. MISCELLANEOUS – ORDINANCES (Final action on previously approved items)

1. AN ORDINANCE rezoning property at 2947 North 91st Street (#3084) from R-1 Single Family District to A-G Agriculture District, submitted by Robin H. Richardson, Director of Planning, 573-5774 (150081)

2. AN ORDINANCE rezoning properties on 6th Street from Tauromee Avenue to Splitlog Avenue (#3085) from C-3 Commercial District to TND Traditional Neighborhood Design District, submitted by Robin H. Richardson, Director of Planning, 573-5774 (150024)

3. AN ORDINANCE rezoning property at 4014 Strong Avenue (#3086) from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Robin H. Richardson, Director of Planning, 573-5774 (150110)

4. AN ORDINANCE vacating right-of-way and an alley at 1404 Strong Avenue (#R/W & #A-2015-2), submitted by Robin H. Richardson, Director of Planning, 573-5774 (130076)
VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATION

1. #SP-2015-22 – GEORGE AND PEGGY STUART

SYNOPSIS: Special Use Permit for the Temporary Use of Land for a storage container at 7259 Gibbs Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR DENIAL – 6/5 VOTE) (150152)
TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR JUNE 25, 2015

One of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2014.

#SP-2015-26 – ANTHONY ARNOLD

**SYNOPSIS:** Renewal of a Special Use Permit (#SP-2013-25) for boarding of four (4) horses (applicant amended application to two (2) horses) at 5539, 5549 and 5531 Sloan Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR TWO (2) HORSES FOR THREE (3) YEARS) (080216)

5539 Sloan Avenue property:
2010 - $508.76
2011 - $353.11

**NOTE:** This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.
REGULAR SESSION

IX. MAYOR’S AGENDA

No items

X. NON-PLANNING CONSENT AGENDA

1. RESOLUTION: SAFE ROUTES KCK WALKING SCHOOL BUS GRANT (150142)

SYNOPSIS: A resolution authorizing the UG to enter into an agreement with the State of Kansas for the acceptance of a $120,000 MARC grant to implement and expand the Safe Routes KCK Walking School Bus Expansion, submitted by Lideana Laboy, Public Works/Engineering. The required local match is included in the budget.

On June 1, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

2. ORDINANCE: SAFE ROUTES GROUP D PROJECT CMIP #3334(150168)

SYNOPSIS: An ordinance directing the Chief Counsel to commence legal proceedings to acquire the property described in the survey and necessary for project, submitted by Lideanna Laboy, Public Works/Engineering.

On December 4, 2014, the full commission adopted Resolution No. R-108-14, declaring the project to be necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired.

3. APPOINTMENTS: BOARDS AND COMMISSIONS (970013)

SYNOPSIS: Reappointment of Dixie Kaster to Law Enforcement Advisory Board, 6/25/15 to 5/30/19, submitted by Commissioner Bynum

Appointment of Carroll O’Neal to Wy/Leavenworth Area on Aging Advisory Board, 6/25/15 to 5/30/15, submitted by Commissioner Bynum

Appointment of Elaine Ward to Advisory Committee on Disabilities issues, 6/25/15 to 5/30/19, submitted by Commissioner Markley.

4. MINUTES

SYNOPSIS: Minutes from regular sessions of May 14 and 28, 2015; and special sessions of June 1 and 4, 2015.
5. WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated June 4, June 11 and June 18, 2015.

XI. PUBLIC HEARING AGENDA

1. RESOLUTION: AMENDED SILVER CITY URBAN RENEWAL PLAN (150143)

SYNOPSIS: Hold public hearing to consider an amendment to the Silver City Urban Renewal Plan, submitted by Marlon Goff, Economic Development.

XII. ADMINISTRATOR’S AGENDA

No items

XIII. STANDING COMMITTEES’ AGENDA

1. REAPPOINTMENT: REACH FOUNDATION’S COMMUNITY ADVISORY COMMITTEE (CAC) (150165)

SYNOPSIS: Communication requesting the reappointment of Addie Hawkins to the REACH Foundation’s CAC for a two year term commencing June 1, 2015, submitted by Joe Connor, Assistant County Administrator.

This item was heard at the June 22, 2015 Administration and Human Services Standing Committee and was requested to be fast tracked to the June 25, 2015 full commission meeting.

XIV. COMMISSIONERS’ AGENDA

No items
XV. LAND BANK BOARD OF TRUSTEES’ CONSENT AGENDA

1. COMMUNICATION: LAND BANK APPLICATIONS (150137)

SYNOPSIS: A communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval.

Applications for yard extension unless noted otherwise
2748 S. 8th Pl. - Rex Davis
2024 N. 13th St. - Yuri Garcia
810 Quindaro Blvd. - Jacquetta Noble
3049 N. 27th St. - Guiding Star MBC
3053 N. 27th St. - Guiding Star MBC
3055 N. 27th St. - Guiding Star MBC
951 Ray Ave. - Gloria Chela
1511 N. 26th St. - Brenda Nunez-Baltazar
1913 N. Thompson St. - Mt. Zion Economic Foundation, for future development
144 N. 61st St. - Phillip Brown for single-family construction

Transfer to Land Bank
450 Walker Ave. from City of KCK, future development request from Mt. Zion Economic Foundation and Rev. C.L. Bachus

Best & Final
3530 N. 35th St. - Michael Jackson for yard extension, Maria Flores for yard extension

On June 1, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees.

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN
To: Unified Government Board of Commissioners  

From: City Staff  

Date: June 25, 2015  

Re: Change of Zone Petition #3088 and Plan Review Petition #PR-2015-12 (150130)  

GENERAL INFORMATION  

Applicant:  
Ben Williams  

Status of Applicant:  
Representative  
Mark Campbell with Carter Engineering Consultants, Inc.  
3651 Mars Hill Road, Suite 2000  
Watkinsville, GA 30677  

Requested Actions:  
Change of Zone from  
CP-1 Planned Limited Business District  
to CP-2 Planned General Business District  
Plan Review for a fast food drive-thru restaurant  

Date of Application:  
Change of Zone: March 27, 2015  
Plan Review: March 27, 2015  

Purpose: To build a Zaxby’s restaurant
Property Location: 2035 North 109th Street

Existing Zoning: CP-1 Planned Limited Business District

Surrounding Zoning:
- North: CP-2 Planned General Business District
- South: CP-1 Planned Limited Business District
- East: CP-2 Planned General Business District
- West: CP-1 Planned Limited Business District

Existing Uses:
- North: Walmart
- South: A bank (Security National Bank)
- East: A gas station (Sam’s Club)
- West: A hotel (Candlewood Suites)

Total Tract Size: 1.28 acres

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

Major Street Plan: The Prairie Delaware Piper Master Plan classifies Parallel Parkway as a Major Arterial


Public Hearings: June 8, 2015 and June 25, 2015

Public Opposition: No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ben Williams with JULI, LLC wants to build a 90-seat, 3,847 square foot Zaxby’s drive-thru restaurant at 2035 North 109th Street.


FACTORS TO BE CONSIDERED

1. Neighborhood character.

The property is encompassed by commercial development. This parcel is at the western edge of Plaza at the Speedway.
2. The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.

The zoning and uses of properties nearby are set out above. The proposed use is compatible with them.

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

The removal of the restrictions will not detrimentally affect nearby property.

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

The property has been vacant since 2006.

5. The extent to which 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 nearby property.

The proposed use, a restaurant is not reasonably necessary for the convenience and welfare of the public and will not substantially injure the appropriate use, visual quality or marketability of nearby property.

6. 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 proposed use will increase traffic between this parcel and Security National Bank to the south in ways that may affect road capacity and safety along Village West Parkway and the entrance into the property.

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

The proposed use conforms to the Master Plan.

8. The extent to which the proposed use could cause environmental harm or enhance the environment.

This is not an issue.

9. 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**

Available

c. **Storm water control**

To be designed to meet City Code

d. **Police**

Police service is provided by West Patrol, District #223

e. **Fire**

Fire service is provided by Station #6

f. **Transit**

Kansas City ATA provides transit service near this property, Route #116

g. **Schools**

Piper USD 203

h. **Streets**

*See item #6 above*

**10. The economic impact of the proposed use on the community.**

The proposed use will have a small economic impact on the community.

**11. The capability of the proposed use to meet applicable ordinance requirements.**

With revisions, the proposed use is capable of meeting applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare is minimal as compared to the hardship imposed on the landowners. If this application is denied, the owner can still construct a restaurant, but with no drive-thru window.

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**PREVIOUS ACTIONS**

None
NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on April 22, 2015. According to the applicant, no one who attended the meeting appeared in opposition.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Change of Zone Application #3088 and Plan Review Application #PR-2015-12, subject to:

Urban Planning and Land Use Comments:

General

1. Trucks, trailers, cars or temporary storage boxes of any type are not allowed to be parked on the property overnight.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.

2. Sec. 27-576(i) Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure; all means available should be taken to minimize the impact on adjacent residential structures.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.

Building Architecture

1. Sec. 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.

   The north, west, and south facades as one turns the corner around the drive-thru is void of any detail. There are no windows (glass or faux) or architectural detail that is similar to the front along Village West Parkway.

   Glass or faux windows is a simple yet inexpensive architectural feature that can tie the rear of the building to the front.
2. Sec. 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 glass. The director may approve other high-quality materials.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
   a. Split shakes, rough sawn, or board and batten wood;
   b. Vinyl siding;
   c. Smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels;
   d. Field painted or prefinished corrugated metal siding;
   e. Standard single-tee or double-tee concrete systems; or
   f. EIFS at the ground level or comprising more than 15 percent of any façade.

Staff has attached photographs of other Zaxby’s stores across the country, which illustrates some of the features that are described in our Commercial Design Guidelines. For example, EIFS is an accent material used around the roof line and cornices. The type of stone cannot be determined by the photographs, but that is the primary material used on each façade.

Please look the commercial buildings adjacent to this property in Plaza at the Speedway. They all meet the Commercial Design Guidelines and had more additional standards based on the Plaza at the Speedway Design Criteria, which included using building tile and roof tile in the design.

Please revise the buildings elevations to incorporate the materials listed above and reduce the amount of EIFS on each façade to 15 percent.

4. Sec. 27-576(e)(4) All building facades shall be at least 50 percent masonry. Cementious siding may be used to meet 50 percent of the total masonry requirement.

5. Sec. 27-576(g)(3) Slopped 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.

Corrugated metal is not permitted. Please revise the building elevations and all other sheets referencing that material and change it to standing seam. No new commercial development has been permitted to use corrugated metal as a roofing material.

6. Sec. 27-576(h)(1) For new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior.
Landscaping and Screening

1. Shade trees shall be at least 2” caliper when planted. Evergreens shall be between 6’ – 8’ in height when planted. Shrubs shall be at least 5 gallons when planted.

   *Applicant Response: See updated note and plant chart for revision.*

2. All landscaping must be irrigated.

   *Applicant Response: See irrigation plan on sheet 16 and note 7 on sheet 15.*

3. All utility connections must be screened with landscaping or an architecturally designed screen wall. Building and ground mounted mechanical units, utility meters, transformer, switching and control boxes and other service equipment must be properly painted to match the building and/or screened from view.

   *Applicant Response: See note 8 on sheet 15.*

4. Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

   *Applicant Response: See note 9 on sheet 15 and added dumpster callout on sheet.*

5. Since this building has high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers should be designed so that they are reasonably screened and all downspouts shall be internalized.

6. All roof mounted units must be screened by the parapet.

Signage

1. Staff stipulates that the only detached sign on the property is a monument sign.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet. Also note the removal of all signs except the proposed Zaxby’s sign.*

2. Window graphics must be scenic pictures only. No text, special ads, or painted messages are allowed. All graphics must be at least six (6) inches back from the glass in a window framing.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet.*
3. Sign reviews are done under a separate sign permit application.

    Applicant Response: See note added to sheet 4 in lower left side of sheet.

4. Banners are not allowed to be hung from the building or on the structure of the outdoor eating area. Attention attracting devices such as streamers, pennants, inflatables, and wind catchers are prohibited. The applicant is still eligible to use these devices for special events on a temporary basis by applying for a temporary banner sign permit.

    Applicant Response: See note added to sheet 4 in lower left side of sheet.

Lighting

1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.

    Applicant Response: See noted added to sheet 17.

2. Exterior parking lot lighting shall have 90 degree cutoff fixtures.

    Applicant Response: See note added to sheet 17.

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) 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

Staff Conclusion:

The applicant has worked with staff to resolve architectural and engineering issues. Staff recommends approval of this petition subject to one additional stipulation:

   (1) Downspouts shall be internalized.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.
STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Change of Zone Petition #3088 and Plan Review Petition #PR-2015-12 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan
Utility Plan
Landscape Plan
Photometric Plan
Building Elevations
Photograph examples of Zaxby’s restaurants

REVIEW OF INFORMATION AND SCHEDULE

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Public Hearing Plan Review Approval June 8, 2015 June 25, 2015

STAFF CONTACT: Byron Toy, AICP

MOTIONS

Change of Zone Petition

I move the Unified Government Board of Commissioners APPROVE Petition #3088 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:

1. ________________________________;

2. ________________________________; And

3. ________________________________.
OR

I move the Unified Government Board of Commissioners DENY Petition #3088, 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.

Plan Review Petition

I move the Unified Government Board of Commissioners APPROVE Petition #PR-2015-12, 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:

1. _____________________________________________________________;
2. _____________________________________________________________; And
3. _____________________________________________________________.

OR

I move the Unified Government Board of Commissioners DENY Petition #PR-2015-12 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.

JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

150130 CHANGE OF ZONE APPLICATION #3088 – BEN WILLIAMS/JULI, LLC – SYNOPSIS: Change of Zone from CP-1 Planned Limited Business District to CP-2 Planned General Business District for a restaurant with drive-through at 2035 North 109th Street.

150130 PLAN REVIEW APPLICATION #PR-2015-12 – BEN WILLIAMS/JULI, LLC – SYNOPSIS: Preliminary and Final Plan Review for a restaurant with drive-through at 2035 North 109th Street

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
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 dated April 16, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Brian Sturm, 305 Lawrence Avenue, Lawrence, Kansas 66049, representing the applicant, appeared in support of this application. He stated that they do not have a lot to add beyond what is in the staff report. They want to change the zoning from CP-1 to CP-2 to allow a restaurant with a drive-through. He stated that they do not have any qualms with the stipulations the staff has put on the approval.

Chairman Hurrelbrink asked what type of restaurant is Zaxby’s. Mr. Sturm stated that it is a fast-food restaurant that specializes in chicken.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

On motion by Dr. DeWitt, seconded by Mr. Escobar, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application #3088**:

- Carson  Aye
- Connelly  Aye
- DeWitt  Aye
- Ernst  Aye
- Escobar  Aye
- Gonzalez  Aye
- Huey  Aye
- Hurrelbrink  Chairman
- Pauley  Aye
- Schwartzman  Aye
- Walker  Aye

**Motion to recommend APPROVAL Passed: 10 to 0**

Subject to:

**Urban Planning and Land Use Comments:**

**General**

1. Trucks, trailers, cars or temporary storage boxes of any type are not allowed to be parked on the property overnight.

   **Applicant Response:** See note added to sheet 4 in lower left side of sheet.

2. Sec. 27-576(i) Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front
of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure; all means available should be taken to minimize the impact on adjacent residential structures.

Applicant Response: See note added to sheet 4 in lower left side of sheet.

Building Architecture

1. Sec. 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.

The north, west, and south facades as one turns the corner around the drive-thru is void of any detail. There are no windows (glass or faux) or architectural detail that is similar to the front along Village West Parkway.

Glass or faux windows is a simple yet inexpensive architectural feature that can tie the rear of the building to the front.

2. Sec. 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 glass. The director may approve other high-quality materials.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
   a. Split shakes, rough sawn, or board and batten wood;
   b. Vinyl siding;
   c. Smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels;
   d. Field painted or prefinished corrugated metal siding;
   e. Standard single-tee or double-tee concrete systems; or
   f. EIFS at the ground level or comprising more than 15 percent of any façade.

Staff has attached photographs of other Zaxby’s stores across the country, which illustrates some of the features that are described in our Commercial Design Guidelines. For example, EIFS is an accent material used around the roof line and cornices. The type of stone cannot be determined by the photographs, but that is the primary material used on each façade.

Please look the commercial buildings adjacent to this property in Plaza at the Speedway. They all meet the Commercial Design Guidelines and had more additional standards based on the Plaza at the Speedway Design Criteria, which included using building tile and roof tile in the design.

Please revise the buildings elevations to incorporate the materials listed above and reduce the amount of EIFS on each façade to 15 percent.
4. Sec. 27-576(e)(4) All building facades shall be at least 50 percent masonry. Cementious siding may be used to meet 50 percent of the total masonry requirement.

5. Sec. 27-576(g)(3) Slopped 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.

   Corrugated metal is not permitted. Please revise the building elevations and all other sheets referencing that material and change it to standing seam. No new commercial development has been permitted to use corrugated metal as a roofing material.

6. Sec. 27-576(h)(1) For new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior.

**Landscaping and Screening**

1. Shade trees shall be at least 2” caliper when planted. Evergreens shall be between 6’ – 8’ in height when planted. Shrubs shall be at least 5 gallons when planted.

   *Applicant Response: See updated note and plant chart for revision.*

2. All landscaping must be irrigated.

   *Applicant Response: See irrigation plan on sheet 16 and note 7 on sheet 15.*

3. All utility connections must be screened with landscaping or an architecturally designed screen wall. Building and ground mounted mechanical units, utility meters, transformer, switching and control boxes and other service equipment must be properly painted to match the building and/or screened from view.

   *Applicant Response: See note 8 on sheet 15.*

4. Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

   *Applicant Response: See note 9 on sheet 15 and added dumpster callout on sheet.*
5. Since this building has high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers should be designed so that they are reasonably screened and all downspouts shall be internalized.

6. All roof mounted units must be screened by the parapet.

**Signage**

1. Staff stipulates that the only detached sign on the property is a monument sign.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet. Also note the removal of all signs except the proposed Zaxby’s sign.*

2. Window graphics must be scenic pictures only. No text, special ads, or painted messages are allowed. All graphics must be at least six (6) inches back from the glass in a window framing.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet.*

3. Sign reviews are done under a separate sign permit application.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet.*

4. Banners are not allowed to be hung from the building or on the structure of the outdoor eating area. Attention attracting devices such as streamers, pennants, inflatables, and wind catchers are prohibited. The applicant is still eligible to use these devices for special events on a temporary basis by applying for a temporary banner sign permit.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet.*

**Lighting**

1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.

   *Applicant Response: See noted added to sheet 17.*

2. Exterior parking lot lighting shall have 90 degree cutoff fixtures.

   *Applicant Response: See note added to sheet 17.*

**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) 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

**Staff Conclusion:**

The applicant has worked with staff to resolve architectural and engineering issues. Staff recommends approval of this petition subject to one additional stipulation:

(1) Downspouts shall be internalized.

On motion by Mr. Escobar, seconded by Dr. DeWitt, the Planning Commission voted as follows to recommend **APPROVAL of Plan Review Application #PR-2015-12**:

Carson  Aye  
Connelly  Aye  
DeWitt  Aye  
Ernst  Aye  
Escobar  Aye  
Gonzalez  Aye  
Huey  Aye  
Hurrelbrink  Chairman  
Pauley  Aye  
Schwartzman  Aye  
Walker  Aye

Motion to recommend APPROVAL Passed: 10 to 0
Subject to the above stipulations
Dear Planning Commission,

The following Comments have been addressed and a note added to clarify the revision.

General:
1. Trucks, trailers, cars or temporary storage boxes of any type are not allowed to be parked on the property overnight. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**
2. Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure; all means available should be taken to minimize the impact on adjacent residential structures. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**

Landscaping and Screening:
1. Shade trees shall be at least 2' caliper when planted. Evergreens shall be between 6' – 8' in height when planted. Shrubs shall be at least 5 gallons when planted. **SEE UPDATED NOTE AND PLANT CHART FOR REVISION.**
2. All landscaping must be irrigated. **SEE IRRIGATION PLAN ON SHEET 16 AND NOTE 7 ON SHEET 15.**
3. All utility connections must be screened with landscaping or an architecturally designed screen wall. Building and ground mounted mechanical units, utility meters, transformer, switching and control boxes and other service equipment must be properly painted to match the building and/or screened from **SEE NOTE 8 ON SHEET 15.**
4. Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times. **SEE NOTE 9 ON SHEET 15 AND ADDED DUMPSTER CALLOUT ON SHEET.**

Signage:
1. Staff stipulates that the only detached sign on the property is a monument sign. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET. ALSO NOTE THE REMOVAL OF ALL SINGS EXCEPT THE PROPOSED ZAXBY’S SIGN.**
2. Window graphics must be scenic pictures only. No text, special ads, or painted messages are allowed. All graphics must be at least six (6) inches back from the glass in a window framing. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**
3. Sign reviews are done under a separate sign permit application. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**
4. Banners are not allowed to be hung from the building or on the structure of the outdoor eating area. Attention attracting devices such as streamers, pennants, inflatables, and wind catchers are prohibited. The applicant is still eligible to use these devices for special events on a temporary basis by applying for a temporary banner sign permit. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**

Lighting:
1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed. **SEE NOTE ADDED TO SHEET 17.**
2. Exterior parking lot lighting shall have 90 degree cutoff fixtures. **SEE NOTE ADDED TO SHEET 17.**
ZAXBY’S RESTAURANT

CHANGE OF ZONE PETITION #3088
PLAN REVIEW PETITION #PR-2015-12

NEIGHBORHOOD MEETING

DATE: APRIL 22, 2015
LOCATION: SECURITY BANK OF KANSAS CITY
10840 PARALLEL PARKWAY
KANSAS CITY, KS 66106

Meeting called to order at 4:00 pm.

The following people were in attendance:

Russell Sage V.P. Operation, Security Bank of Kansas City
Angie Kaminski, A/VP/Bank Manager, First Legend Bank & Trust
Brent Lathrom, Senior V. P., First Legend Bank & Trust

C.L. Maurer presented the construction documents that had been updated 4.21.15 to the attendees. I discussed the location of the property to the adjacent property owners. Discussed the access to the proposed Zaxby’s off Village West Parkway at an existing curb cut used by Security Bank of Kansas City and the existing curb cut off North 109th Street. I then reviewed that the existing island off of Village West Parkway would be cut down in size for the traffic flow and the existing light would not be removed.

Brent questioned the look of the building and reviewed the submitted elevations of the building. They liked the look of the building and did not see anything that would be a problem with the elevations.

The attendee’s reviewed the Staff’s comments that were provided to me on 4.20.15. They did not have any problems with the review by the city at this time.

Brent stated that he plans on attending the May 11, 2015 City Planning Commission Meeting.

I asked if there were any more questions about the proposed Zaxby’s restaurant.

I thanked Russell for providing the conference room for the meeting.

Brent & Angie thanked me for have the meeting and taking the time to review the upcoming project.

The meeting was adjourned at: 4:35 pm

Minutes taken by:  

C.L. Maurer, RLA, ASLA
Figure 1. Photograph of Zaxby's restaurant in Richmond Hill, GA (provided by Google Images).

Figure 2. Photograph of Zaxby's restaurant in Holly Springs, GA (provided by Google Images).
To: Unified Government Board of Commissioners
From: City Staff
Date: June 25, 2015
Re: Petition #SP-2015-25 (150153)

GENERAL INFORMATION

Applicant:
Jeffery Steinberg

Status of Applicant:
Apex CDL Institute
9620 Lexington Avenue
De Soto, KS 66018

Requested Action:
Approve Special Use Permit

Date of Application:
April 15, 2015

Purpose:
To operate a commercial driver’s license training facility

Property Location:
6801 State Avenue

Existing Zoning:
CP-2 Planned General Business and R-1 Single Family Districts
Existing Surrounding Zoning: **North:** CP-2 Planned General Business District
**South:** RP-M Planned Mobile Home Park District
**East:** R-1 Single Family District
**West:** CP-2 Planned General Business and R-1 Single Family Districts

Existing Uses: **North:** KCKCC Technical Education Center
**South:** Undeveloped land, farmland
**East:** Salvation Army
**West:** A motel and undeveloped land (in the rear)

**Total Tract Size:** 12.33 acres

**Master Plan Designation:** The City-Wide Master Plan designates this property as Mixed Use.

**Major Street Plan:** The City-Wide Master Plan classifies State Avenue as a Class A Thoroughfare

**Advertisement:** The Wyandotte Echo – May 14, 2015
Letters to Property Owner – May 13, 2015 and June 15, 2015

**Public Hearings:** June 8, 2015 and June 25, 2015

**Public Opposition:** No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

---

**PROPOSAL**

**Detailed Outline of Requested Action:** The applicant, Jeffery Steinberg wants to operate a commercial driver’s license training facility and a job placement program for graduating students at the former Raceway Auto Group car lot at 6801 State Avenue.

**City Ordinance Requirements:** 27-592 through 27-606

---

**FACTORS TO BE CONSIDERED**

1. *The Character of the Neighborhood.*

   The character of the neighborhood is comprised of commercial type uses along State Avenue. There is a motel to the west and the Salvation Army Harbor Light Village (including its residential facility) to the east. KCKCC has a technical center where students work on automobiles and EMS training across the street.
2. **The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.**

   The zoning and uses of properties nearby are set out above. If the applicant runs his business within the normal hours that most businesses along State Avenue currently operate, especially the KCKCC Technical Education Center, Monday through Friday, 8:00 AM to 5:00 PM, the training facility could be compatible. However, there could be issues with Harbor Light Village.

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

   The proposed use is permitted in M-2 General Industrial and M-3 Heavy Industrial Districts. The removal of the restrictions could affect nearby property if the training facility operates during the weekend or at such intensity during normal business hours, residences may be disturbed outside the 200’ notification buffer.

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

   The property is not vacant. Currently, there is a used car lot operating at this location.

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

   Special use permits are not addressed in the Master Plan but as this is a listed industrial use, it would not conform.

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.**

   The proposed use may not result in increasing the amount of vehicular traffic because the individuals who will be at the facility will be employees and trainees which will have a lower turnover than the existing car lot.

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 proposed use is not reasonably necessary for the convenience and welfare of the public particularly because the public at-large will not benefit from the facility. The proposed use will not permanently injure the appropriate use, visual quality, or marketability of adjoining property because of the temporary special use permit.

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.**
Noise is a significant concern with the trucks maneuvering in the rear of the property, behind the building. While there are no residences within 200 feet of the proposed use, noise does carry and could potentially create problems for nearby residential property.

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

   The proposed use will not pollute the air, land or water.

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

    The proposed use will not damage or destroy an irreplaceable natural resource.

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

    The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the applicant will have to find another property to operate the training facility.

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

    The proposed use will not result in overcrowding of land or cause undue concentrations of population.

---

**PREVIOUS ACTIONS**

None

**NEIGHBORHOOD MEETING**

The applicant held a neighborhood meeting on May 12, 2015 with one (1) person attending. The meeting minutes are attached.

**KEY ISSUES**

Truck Noise

Building Inspection’s comment

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission voted 10 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-25, subject to:
Urban Planning and Land Use Comments:

1. A wall of evergreens shall be planted the length of the eastern edge of the rear parking lot.
2. The hours of operation for training (truck maneuvering) shall be Monday through Friday from 6:00 AM to 4:00 PM. All trucks shall cease operation at 4:00 PM.
3. No truck idling.
4. Per the Business License Department:
   a. #SP-2015-25. If approved, they will need to register and file the occupation tax application with this office. If the training education program is held by a 501(c)3 they would file as an exempt entity and would need to provide copy of IRS recognition status letter.

   Applicant Response: Apex is not a nonprofit, so we will be filing for a business license.
5. Per the Building Inspection Department:
   b. This is a change of occupancy. This will be a DRC project.

   For assistance, please contact Trey Maevers, Development Review Planner at (913) 573-8664.

   Applicant Response: I will contact the Development Review Committee today regarding building permits.
6. The letter as provided does not mention truck and trailer parking, but where will this equipment be parked after 4:00 PM?

   Applicant Response: We currently own seven (7) trucks and trailers, four (4) of which are used for backing training. They will remain on the rear lot for training and parking. Two (2) of the trucks are for our road training, one (1) is for testing. They will be parked at the rear of the west side lot, approximately 250 feet away from the road.
7. Will the light poles be removed in the rear parking lot?

   Applicant Response: Yes, we had planned on removing the light poles from the rear lot to allow truck training.
8. How many trucks will be maneuvering in the rear parking lot?

   Applicant Response: Four (4) trucks will be on the rear lot at any given time.
9. How many trainees will be in each class?

   Applicant Response: Apex CDL Institute averages approximately 5 – 6 students per week.

Public Works Comments:

None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.
STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-25 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Aerial Photograph
Applicant’s Submittal Letter
Applicant’s Response Letter
Neighborhood Meeting Minutes
Site Photographs

REVIEW OF INFORMATION AND SCHEDULE

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STAFF CONTACT: Byron Toy, AICP

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-25 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:

1. ________________________________________________________________;

2. _______________________________________________________________; And

3. ________________________________________________________________.

OR

I move the Unified Government Board of Commissioners DENY Petition #SP-2015-25, 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.
JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

150153 SPECIAL USE PERMIT APPLICATION #SP-2015-25 – JEFFREY STEINBERG/APEX CDL INSTITUTE - SYNOPSIS: Special Use Permit for a commercial driver's license training facility and job placement program for graduating students at 6801 State Avenue

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
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 dated May 14, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Gilbert Pintar, 4178 Cambridge, Kansas City, Kansas, 66103 representing the applicant, and Mr. Jeffrey Steinberg, applicant, appeared in support of this application. Mr. Pintar stated that this application is for a special use permit for a building that was originally built in 2007 as the Chad Franklin Suzuki dealership. The property is stair-stepped as the building and showroom is on the street front and to the south is a storage lot that was used for car storage that drops about 12’. This special use permit would allow for a classroom facility with training rigs/vehicles on the property. They believe that the special use permit will be a less intensive land use than the current and previous businesses on this site. The hours of operation will be Monday through Friday and there would only be Saturday activity if there was a holiday during the week and that would necessitate a Saturday class. The classes are held from 7:30 a.m. to 3:00 p.m. There are a total of seven (7) trucks that will be on the site at any one time. Two (2) of those rigs will be in the metro area training drivers and a third vehicle will be on-site as a testing vehicle and there will be four (4) rigs on the lower level (south of the building). It is a fenced in area and there are a couple of light standards that will be removed. This is where the truck training facility will be. The business office will open at 6:00 a.m. and will close 5:30 p.m. The only Saturday activity will be if there is a holiday. The showroom will be the classroom facility and there are only six (6) students per each four (4) week session. Therefore, there will not be a lot of people on the site at any one time. There is no repair or other activities that will happen on the property. They had the neighborhood meeting and only one (1) person appeared to ask questions about the facility which was the neighbor to the west (Gables motel). He was mainly concerned about the noise level and night time operations. Mr. Pintar stated that there will not be any night time operations as the actual truck maneuvering will stop at 3:00 p.m. They are not aware of any other opposition to this operation. They feel that the noise impacts are going to be negligible. There is no reverse beeping of these vehicles such as a Fed-X truck. Planning Director Richardson asked if the trucks are required to
have back-up beepers as required by OSHUA. Mr. Pintar stated not the training vehicles. He said that they have taken decibel readings at the property line and all of them have registered in the upper 40s. He stated that 55 dba is usually the standard. In terms of the visual buffer, he submitted photographs to the Commission. The pictures showed the showroom, the motel and The Salvation Army complex. He stated that there is a hedge row with miscellaneous cedars, etc. between this property and The Salvation Army. The dealership cannot be seen until you get closer to State Avenue.

With regard to improvements to the property the lower lot will be repaired in terms of the asphalt and seal-coated and the light standards will be removed to allow for the open maneuvering of these vehicles. He reiterated that only four (4) vehicles will be in this lower level. He stated that only the very top of the Salvation Army building can be seen from this lot. The Salvation Army has their larger vehicles on their lot. He stated that this property right now is Pete Franklin’s Used Cars lot and they are going to be moving next month to the original Roger Smith Toyota building further west on State Avenue. He stated that they think that this will be a less intensive use than the previous uses and they are not aware of any opposition. On page 6 of the staff report there are three (3) stipulations.

1. A wall of evergreens shall be planted the length of the eastern edge of the rear parking lot. Mr. Pintar stated that they do not feel that is necessary and they understand that the staff’s concern is year round screening. He stated that with the cedars and some of the plant materials there, maybe there is some infill needed and the best time to gauge is in the winter. He would suggest that the staff go out with them and looks at the east property to see what the true impacts are. They would park a rig down there and determine what amount of visual screen is necessary. The applicant is willing to work with The Salvation Army to plant a few trees on their property if needed to beautify it. If a solid row of cedars are planted it is going to take a few years for them to provide the visual screen that is kind of already there.

2. The hours of operation for training (truck maneuvering) shall be Monday through Friday from 6:00 a.m. to 4:00 p.m. All trucks shall cease operation at 4:00 p.m. Mr. Pintar stated that this stipulation should be 7:30 a.m. to 3:00 p.m. as that is the actual time they are proposing.

3. No truck idling. Mr. Pintar stated that is agreeable as diesel costs a lot of money and they are not going to run trucks for no reason.

Mr. Pintar stated that this driving school is in other locations and at the Desoto facility they are close to a multi-family facility. They have not had any issues where they are currently located, they have been successful and there is a need for this business.

Planning Commissioner Schwartzman asked a question that could not be heard on the record. Mr. Steinberg stated that in the yard they are all single axle and are 48’. (Mr. Schwartzman asked another question that could not be heard.) Mr. Steinberg stated that it is 400’ by 140’ tall. Because of the maneuvering skills they will practice, the way that they separate it is based on Federal guidelines for the training, straight line backing and off-sets will be done on one side so it is limited as to where they are allowed to maneuver. None of the trucks are allowed to operate without an instructor standing next to them to make sure that the student is not backing into a fence, etc. On the east side of the yard only one (1) truck at a time will be running and they will be working on
parallel parking or alley dock. He has already measured everything out and they have more room than they need. They are currently running the same amount of trucks on their property with one-third less property. The current lot they are on is gravel and this is asphalt. It also allows them to be closer to the proximity of their student base as the majority of their students come from the Kansas City area as opposed to Desoto. He further stated that some of the students that come to them through the Workforce development programs and unemployment office, they cannot afford to travel as far as they are at now. They are also close to the community college. (Mr. Schwartzman asked another question that could not be heard.) Mr. Steinberg stated that 18-wheelers with car haulers come onto this property on a daily basis delivering cars. They have already had trucks on the property testing it. Also when the trucks leave the property, they will be driven by an instructor and not a student. The road trucks will gather at a parking lot further down the street in an area where they can get onto the highway. He stated that the trucks are all diesel and they will fuel them off-site. He stated that the existing service bay door on the property is not tall enough to pull the trucks in. They are taken elsewhere for repair. Things like a door handle can be fixed on-site.

Planning Commissioner Escobar stated that he indicated that when the trucks are backing up they will not have a beeper. When they leave the site and they are doing training on the roads, are they required to have beepers on the trucks. Mr. Steinberg stated no; one of the reasons that they are not required is because the trucks are never backing unguided. There is always someone watching and guiding them. If you go to a truck stop and you listen the 18-wheeler trucks do not have beepers on them. Beepers are usually for trucks at docks where there are people working around the docks and they want to make sure that no one is hit. He stated that he operated another school in Knoxville and over the past five (5) years he has graduated 5,000 students and he has worked with trucking companies all around the country and they do not have beepers attached to 18-wheelers.

Planning Commissioner Gonzalez asked how many trucks will be running on the lower level. Mr. Steinberg stated that there will be four (4) trucks on the lower level. The only training that will take place in trucks on the property is teaching the students how to do the backing maneuvering. Depending on what maneuvering they are doing will determine what room they have so the trucks are not coming in close proximity to each other. Normally only three (3) trucks will be running; there will be four (4) trucks down there. Based on their current curriculum on Wednesday and Thursday there will be four (4) trucks running. By Friday when they get to the alley dock, it takes up too much room and the one (1) truck has to be parked. Mr. Gonzalez stated that the reason he asked was because the property on the east side came before the Commission for zoning action as they were going to house patients going through possible detox. Going through detox is difficult when they are trying to sleep in order to move on to the next step and he was concerned if the applicant has talked to the owner. Without the back-up beepers, he does not know if the noise will be that much of a problem. If it is windy, the noise might be an issue. Mr. Steinberg stated that the trucks are always kept at idle speed when they are in the yard; they are not allowed to hit the accelerator. They have to put it in gear, take their foot off the clutch and they idle forward and idle back; they are never allowed to hit the gas on the property. When trucks are loud they are like motorcycles in that it is because the owner wants them to be loud. All of his trucks are factory exhaust systems and they do not operate with the Jake brakes which are the
loud barking noises. He stated that he bought a decibel meter and from about 100’ away cars passing behind him were louder on the decibel reading than the trucks themselves. He stated that it registered about 47 to 50 dB depending on the wind. This reading was at his current property. He took a reading at the property in question and it is 10 dB higher without his trucks there because there is more traffic on State Avenue.

He further stated that by 3:00 p.m. his students are done driving. Mr. Gonzalez stated that patients have to sleep during the day. Mr. Pintar stated that is true but there is a certain amount of noise now with the car dealership there. He was on the site Friday and the dealership had his speaker system outside playing music. It is really based on management of the property. Noise and how they operate is a management thing. That is why this is a special use permit. They want to be good neighbors and if they are not, they will lose their special use permit.

Chairman Hurrelbrink stated that last week he was on the campus of Ft. Scott Community College and he drove by their truck driving training school which is not on the college campus; it is in an industrial area. There are warehouses, trucking operations, etc. He stated that he is struggling with this location and he understands that it is close to the community college but he would like to have more reasoning for this truck driving school to be at this location in more of a commercial/semi-residential area versus some place more industrial.

Mr. Pintar stated that he would like to re-emphasize that there is no repair on this site. The only thing is the classroom inside the showroom for the six (6) students and then when they go out to the lower level to drive and maneuver the trucks. There is no maintenance, upkeep or any other type of work. Generally these facilities are in industrial areas and they also perform additional uses in those areas such as repair, tune-ups, etc. This is strictly limited to the driving training. Mr. Steinberg stated that if you look at most truck driving schools, even the ones operated through the community college, they are privately owned businesses and they are different from his business model. Most truck driving schools are started by truck driving operators; people that have driven a truck for a long time and they decide that they want to get into the training aspect. He stated that his background is a retired police officer and he has owned trucking companies and that is how he got into the training side of it. He approaches it more from a business/marketing aspect. It does help with exposure and obviously he is on a main thoroughfare. It is a natural setting because of the campus close-by. The KCKCC diesel tech program is right across the street so it is a natural area for adult education people looking to continue their career. He works a little closer with the unemployment offices and Work Force in Johnson County and Wyandotte County to help people that are unemployed and looking to get back in the work force again. He stated that he has found that locations such as the one he is at now and in industrial areas are harder for them to get to as there are no buses or mass transit. This location puts them on a main bus route and they can take the public transportation back and forth every day. If you drive down the street about two (2) miles west there is Yellow Freight and their huge terminal; that is a trucking company that has hundreds of cars parked on the property on the same street less than two (2) miles down the street. He stated that he was talking to Pete Franklin, who is currently operating at this location, and the amount of trucks coming on and off the property now delivering vehicles, is more than what he will have.

No one appeared in opposition to this application.
Planning Director Richardson stated that he appreciates the additional information from the applicant. The issue that the staff is concerned with is the same as the chairman which is the industrial nature of this operation. He understands the desire to be across from the community college but K-32 is not far away from this site and there are lots of areas that could be used for this operation. If the Commission wishes to approve this application with the stipulations, he would recommend approval for one (1) year. This is an industrial use and using a special use permit to put this into a commercial area is probably not the right thing to do. The staff spent a lot of time trying to figure out how to work around Yellow Freight when new development opportunities come on that side of State Avenue and he would not want to create another one at this location.

Planning Commissioner Escobar asked the applicant if he would look at another area close to this location. Mr. Steinberg stated that this is not a new process for him as he has been working to get in Kansas City, Kansas from his other school in Knoxville since 2012. To find a facility that has a yard where he can do his training with suitable office space that does not look like a run-down truck terminal has been difficult. He stated that it took him 1 ½ years to find the location he is now and he has been looking since he moved to his current location in 2013 to find another location. He needs a location that is affordable and meets his students’ needs. Because trucking is so huge in Kansas City every time a truck terminal of any kind comes up some huge trucking company snatches it up for five times the market value. He was looking at one six (6) months ago and Google purchased it to park their trucks (ten year lease.) He stated that there are probably areas better suited for this but finding them and developing them (if they are not already developed) is not cost effective.

Planner Commissioner DeWitt asked if a one-year special use permit is sufficiently attractive to him. Mr. Steinberg stated that obviously more time is better but he does not have a problem with a one (1) year period. He knows that they are going to be successful and not have any complaints. They will be good neighbors so if they have to come back in a year he is sure that the Commission will be happy with the results.

Planning Commissioner Carson asked staff if they are agreeable to approving this application for one (1) year. Planning Director Richardson stated yes.

On motion by Dr. DeWitt, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend APPROVAL of Special Use Permit Application #SP-2015-25 for one (1) year:

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<thead>
<tr>
<th>Name</th>
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<tr>
<td>Carson</td>
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<td>Gonzalez</td>
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<td>Pauley</td>
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<td>Schwartzman</td>
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<td>Walker</td>
<td>Aye</td>
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Motion to recommend APPROVAL Passed: 10 to 0
Subject to:

**Urban Planning and Land Use Comments:**

1. A wall of evergreens shall be planted the length of the eastern edge of the rear parking lot.
2. The hours of operation for training (truck maneuvering) shall be Monday through Friday from 6:00 AM to 4:00 PM. All trucks shall cease operation at 4:00 PM.
3. No truck idling.
4. Per the Business License Department:
   c. #SP-2015-25. If approved, they will need to register and file the occupation tax application with this office. If the training education program is held by a 501(c)3 they would file as an exempt entity and would need to provide copy of IRS recognition status letter.  
   **Applicant Response:** Apex is not a nonprofit, so we will be filing for a business license.
5. Per the Building Inspection Department:
   d. This is a change of occupancy. This will be a DRC project.  
   For assistance, please contact Trey Maevers, Development Review Planner at (913) 573-8664.  
   **Applicant Response:** I will contact the Development Review Committee today regarding building permits.
6. The letter as provided does not mention truck and trailer parking, but where will this equipment be parked after 4:00 PM?  
   **Applicant Response:** We currently own seven (7) trucks and trailers, four (4) of which are used for backing training. They will remain on the rear lot for training and parking. Two (2) of the trucks are for our road training, one (1) is for testing. They will be parked at the rear of the west side lot, approximately 250 feet away from the road.
7. Will the light poles be removed in the rear parking lot?  
   **Applicant Response:** Yes, we had planned on removing the light poles from the rear lot to allow truck training.
8. How many trucks will be maneuvering in the rear parking lot?  
   **Applicant Response:** Four (4) trucks will be on the rear lot at any given time.
9. How many trainees will be in each class?  
   **Applicant Response:** Apex CDL Institute averages approximately 5 – 6 students per week.

**Public Works Comments:**  
None
Figure 1. Aerial photograph of 6801 State Avenue as indicated by the green dot (provided by ArcView GIS).
We are requesting this variance to the existing zoning requirements based on the following criteria. Apex CDL Institute is currently located in De Soto Kansas. We began business in October of 2013.

We are a licensed and state approved adult post secondary educational facility regulated by the Kansas board of regents. In our first year we were able to assist over 200 residents of the Kansas City area obtain the training they needed to secure their Class A Commercial License and provide those students with new and meaningful career opportunities.

This location change will allow us to move our operations to an area that is closer to our primary student population base. Making it easier for students to commute to class every day. Based on the properties proximity to Kansas City Kansas Community College and many of their adult vocational programs, it is also a natural extension for adults seeking to improve their opportunities in today's demanding job market.

Trucking opportunities in the Kansas City area are among some of the best in the nation with our average student drivers making more than $50,000 in just their first year of driving.

With the way our training is structured, we will operate with very low to almost nonexistent impact to surrounding traffic patterns. The nature of our training and the property we are attempting to occupy will allow the majority of our truck training to be done off campus. What training will be done on campus would be done on a rear lot of the property which is approximately 12 feet below the street level and surrounded by woods, so the majority of truck usage on the property cannot be seen or heard from the street or nearby properties.

To better understand, the following is a breakdown of our curriculum.

**Week One:** A classroom environment, which allows students to study in our computer lab to obtain their CDL learners permit by taking the states written exam.

**Week Two:** A practical environment which will allow students to learn the basics of a vehicle pre-trip exam, which will take place mostly inside the workshop located at the back of the property and the fundamentals of their backing skills which would take place on the lower level lot at the rear of the property.

**Week Three:** A practical environment which will focus primarily on more complicated backing skills. This will primarily be done on the lower lot at the rear of the property with some being done on the west side parking lot.
Week Four: This week consists mainly of road training. Our road trucks will leave the property usually sometime between 7AM and 9AM, depending on weather and lighting. They will return approximately at 3PM. The students will finish their day at 4PM. Most of the training during this phase will take place out on the road in and around the Armourdale and Fairfax commercial districts.

As you can see, the vast majority of our training will either take place indoors, off property or in the rear lot which is not visible from the streets. While on the property our trucks are restricted to idle speeds and are fully equipped with all factory exhaust and muffler systems, so noise is kept to an absolute minimum. So while we will have trucks on the property, we are in no way a trucking company. We will not have trucks coming and going all through the day and night. Our projected business model will actually reduce traffic coming and going over even the existing business and when the car delivery trucks that currently come and go are factored, our business model will probably have even less trucks entering and leaving the property as well.

Our school hours are from 6:00AM to 4:00PM Monday through Friday. Our offices are open until 5:30PM.

Many of our students come from surrounding areas that prevent them from commuting back and forth to home every day. As a result they will be spending money in the local economy, staying in local hotels and using local restaurants.

At Apex CDL Institute we provide a valuable service to Kansas City residents, we promote job growth through quality training and outstanding relationships with trucking companies that hire our students. Many of those companies are Kansas based. We plan on being at this location long term. Over the years this property has changed hands many times. Much of the time it has sat vacant, allowing the property to deteriorate and have items stolen from it.

We not only plan on keeping the property occupied, clean, landscaped and sightly, we also plan on doing improvements to the property both esthetically and structurally. Relocating to this location would provide better exposure and accessibility for our students and our operation would have no negative impact on the surrounding neighborhoods and businesses.

Jeffrey Steinberg
Director
Apex CDL Institute
OK Byron, thanks...that clarifies the issues.

1) Apex is not a non profit, so we will be filing for a business license.
2) I will contact the development review committee today regarding building permits. (Can you tell me who I need to contact?)
3) We currently own 7 trucks and trailers, 4 of which are used for backing training. They will remain on the rear lot for training and parking. 2 of the trucks are for our road training, 1 is for testing. They will be parked at the rear of the west side lot, approximately 250 feet away from the road.
4) Yes, we had planned on removing the light poles from the rear lot to allow truck training.
5) 4 trucks will be on the rear lot at any given time.
6) Apex CDL Institute averages approximately 5 to 6 students per week.

Please let me know if you have any other questions. I will begin following up on the permits and licensing.

Jeffrey Steinberg
Director

Apex CDL Institute
9620 Lexington Ave
De Soto KS 66018
Ofc 913-585-1120
Fax 913-585-1141

Get Social:

- YouTube
- Google Plus
- Facebook

On Tue, May 19, 2015 at 11:50 AM, Toy, Byron &lt;btoy@wycokck.org&gt; wrote:

Jeff,

Within the Staff Comments and Suggestions, you need to respond to the statements and questions, 1-6 in writing. That can be sent via email, fax, mail or
personal delivery. You have until Tuesday, May 26, 2015 to respond to our comments.

Staff will incorporate your answers into the final version of the staff report.

Example: Statement #2, Building Inspection looks at this proposal as a change of occupancy. As a result, if you are approved, you will need to go through the Development Review Committee to get building permits prior to opening your doors for business.

Example: Statement #1, Business License says that you cannot open your doors before you register and file an occupation tax application with their department. To help you with the process, call (913) 573-8760. You will then be in contact with either Phil Henderson, Lori Wilson, Doug Fee, or Valerie Nelson.

Thank you,

Byron Toy, AICP

Our goal is to serve you with excellence! Please click the following link and take a moment to complete this short customer service survey to help us better serve you!

https://www.surveymonkey.com/s/UBPLUCS
Neighborhood Meeting Minutes

Application Number: SP-15402-00021
Date 05/12/2015
Location: 6801 State Ave
Kansas City, Kansas 66102

Meeting called to order at: 5:37 PM

People in attendance:
Magan Desai - 6831 State Ave Kansas City, KS 66102

The presentation was done by Jeffrey Steinberg. The presentation was begun with a brief explanation of why the neighborhood meeting was being conducted and that Mr. Steinberg and Apex CDL Institute were seeking a special use permit for the purposes of operating a CDL training facility at that location.

Mr. Steinberg explained the business model and exactly what Apex CDL Institute plans to do on the property.

Mr. Desai owns the hotel just west of the property listed.

Mr. Desai asked questions about noise and whether or not the trucks being used for training would keep his customers up at night.

Mr. Steinberg explained that the business hours for Apex CDL Institute were Monday through Friday and that all trucks are shut off and no longer running at 4:00 PM, no training takes place at night.

Mr. Desai stated that he had no objections then and had no further questions.

Meeting was adjourned at 5:52 PM.

Minutes Taken by: Matt Taylor.
Figure 2. Photograph of the rear parking lot looking southwest (provided by the applicant).

Figure 3. Photograph of the rear parking lot looking south (provided by the applicant).
Figure 4. Photograph of the parking lot looking northwest (provided by the applicant).
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #SP-2015-26 (080216)

GENERAL INFORMATION

Applicant:
Anthony P. Arnold

Status of Applicant:
Owner
5539 Sloan Avenue
Kansas City, KS 66104

Requested Action:
Renew special use permit for four (4) horses

Date of Application:
April 15, 2015

Purpose:
To use property as horse pasture for four (4) horses (applicant amended to two (2) horses)

Property Location:
5539, 5531, and 5549 Sloan Avenue

Existing Zoning:
R-1 Single Family District
Existing Surrounding Zoning: **North:** R-1 Single Family District  
**South:** R-1 Single Family District  
**East:** R-1 Single Family District  
**West:** R-1 Single Family District

Existing Uses: **North:** Single family houses  
**South:** Single family houses  
**East:** Single family houses  
**West:** Single family houses

**Total Tract Size:** 2.38 acres

**Master Plan Designation:** Low Density Residential

**Major Street Plan:** Sloan Avenue is a residential street.

**Advertisement:** The Wyandotte Echo – May 14, 2015  
Letters to Property Owner – May 13, 2015 and June 12, 2015

**Public Hearings:** June 8, 2015 and June 25, 2015

**Public Opposition:** No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

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**PROPOSAL**

*Detailed Outline of Requested Action:* Mr. Arnold is requesting renewal of a special use permit to use 2.38 acres of property as pasture land for his four (4) horses. Mr. Arnold only owns 5539 Sloan, which is 1 acre. Previously, neighbors Cheryl Buell (5549 Sloan, 0.5 acre), and Zachary Atwell (5531 Sloan, 0.86 acre) had submitted affidavits stating that Mr. Arnold can use their property.

**City Ordinance Requirements:** 27-592 through 27-606

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**FACTORS TO BE CONSIDERED**

1. **The Character of the Neighborhood.**

   The character of the neighborhood is a mixture of large lot single family homes and smaller single family lots.

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

   The zoning and use of the surrounding properties are set out above. Horses could be compatible if the land is used for grazing only. If the horses are on the...
property overnight or for an extended period of time the property may be too small to accommodate four (4) horses permanently.

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

The removal of the restrictions will not detrimentally affect nearby property if the horses’ time on the property is at a minimum.

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

One parcel is currently vacant as zoned.

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

Special Use Permits are not addressed in the 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.

The proposed use will not result in an increase of vehicular traffic to where it exceeds capacity.

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.

Generally, the proposal is only for the benefit of the applicant. The proposed use will not permanently injure the appropriate use of adjoining property, although horses can create a significant odor and attract vermin.

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.

Noise, vibration, dust, or illumination will not create problems for near-by properties.

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

The proposed use will not likely pollute the air. A foreseen issue is excessive surface water runoff polluted with animal waste due to overgrazed and trampled land, which can cause public health issues downstream. Additionally, if the horse waste is not disposed of in a timely manner, neighbors will be affected by the odor.
10. Whether the use would damage or destroy an irreplaceable natural resource.

Staff does not believe that this will be an issue.

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

This project may negatively impact public health due to overgrazed land leading to increased surface water runoff polluted with animal waste. There is a minimal gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowners.

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

The proposed use will not result in overcrowding of land.

PREVIOUS ACTIONS

A special use permit was approved on August 28, 2008 for four (4) horses as case #SP-2008-34. The applicant had originally requested six (6) horses.

The special use permit was renewed on December 13, 2010 for four (4) horses as case #SP-2010-39 for a two (2) year timespan.

The special use permit was renewed on May 30, 2013 for four (4) horses as case #SP-2013-25 for a two (2) year timespan. The applicant had originally requested a special use permit renewal for six (6) years.

NEIGHBORHOOD MEETING

No neighborhood meeting was required.

KEY ISSUES

Overgrazing and ground protection
Fencing
The Planning Commission voted 10 to 0 to recommend approval of Special Use Permit Application #SP-2015-26, subject to:

**Urban Planning and Land Use Comments:**

A special use permit was renewed for four (4) horses on May 30, 2013. Please provide an update to the following:

Applicant’s Comment: “I would like to amend my request for only two (2) horses, as that is all that I have had on the property since I began requesting my permits. The two horses are regularly rotated, however, they do stay overnight on the site.”

1. Ownership of Horses – Are the horses that are boarded on the land owned by the applicant?
   Applicant’s Response: “The two horses are owned by the applicant.”

2. Transport of Animals – Are the animals still transported via trailers, loaded off-street in driveways, etc.?
   Applicant’s Response: “When transported the horses are loaded in driveways or across the street where trailers are located.”

3. Number of Animals on Lots – Are all four (4) horses on a lot at any one (1) time? Are they there for three (3) or four (4) days and then rotated back to 3438 North 55th Street?
   Applicant’s Response: “Again, I have never had four (4) horses on the property, only two (2) would amend my request for only two (2). They are rotated on a regular basis.”

4. Are there any structures (shelter) for the horses on the lots in question?
   Applicant’s Response: “No structures.”

5. Fencing – Please provide digital pictures showing the fencing and gate where the horses graze.
   Applicant’s Response: “I do not have a digital camera, but will take pictures with phone and send via computer.”

6. How many months a year do the horses graze on the three (3) lots?
   Applicant’s Response: “Off and on for nine or ten months, subject to the weather.”

7. What is done to ensure that the land does not become overgrazed and adequate ground cover is present?
Applicant’s Response: “We maintain property on a month to month basis.”

8. The properties in question are 5531 Sloan Avenue 5539 Sloan Avenue and 5549 Sloan Avenue. Please provide current affidavits signed by the property owners.

Applicant’s Response: “Affidavits were signed and submitted with my initial submission.”

**Business Licensing Comments:**

If this special permit is for boarding the applicants own horses, nothing needs to be done with our office. If the boarding would be conducted for others for any type of fee, applicant will need to register and file the occupation tax application with this office. There is no current filing as for any stable for rent.

Staff: This is not an issue as the applicant has noted that the land is only used to board the applicant’s own horses.

**Conservation District Comments:**

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

- There is one major soil type identified: Knox silt loam 7 to 12 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover.
- This site is not good for the horses, humans or the environment around them. This site’s heavy tree growth and amount of trees limit any good grass growth. Trees use up the available nutrients and water. This limits the production of grass for the horses. They have hay available but the quality of the hay is poor. With the number of animals, compaction of the soil is a major problem. Water can’t be absorbed when it rains.
- Animal waste needs to be cleaned up and disposed of properly. Because of the poor grass cover, compaction and numerous bare spots there will cause excessive runoff from the site and carry animal waste with it into the drainage way.
- For this site to be acceptable for 4 horses most of the trees need to be removed. A good grass cover needed to be established. A small fenced in area with a building for protection to keep the animals when soils are wet and not producing feed. A 30 foot wide bugger in the drainage way needs to be fenced out. The number of horses allowable should be determined by the number of good acres of grass cover. 2 acres of good quality healthy pasture for each horse. Until these measures are done this is not an acceptable site.

The approval for two (2) horses is subject to the following:
- Approval would be for three (3) years
• Supplement the hay provided for the horses with additional food sources in order to ensure adequate diet and manage current vegetation on the site
• Upgrade the fencing by September 1, 2015 as barbed wire is not allowed in R-1 Single Family District
• Mend and repair the existing fencing, straighten the fence poles and ensure the gates are in proper working order by September 1, 2015
• Apply additional seed/sod to the fenced in area in an effort to establish better ground cover (Conservation District recommendation.)

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-26 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Zoning Map
Vicinity Maps (2)
Conservation Letter
Applicant’s Response
Site Photos (4)

REVIEW OF INFORMATION AND SCHEDULE

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STAFF CONTACT: Lauren Reiman lreiman@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-26 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:

1. ____________________________________________

SP-2015-26       June 25, 2015
2. _____________________________________________________; And

3. ________________________________________________________

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2015-26**, 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.

**JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:**

**080216 SPECIAL USE PERMIT APPLICATION #SP-2015-26 – ANTHONY ARNOLD**

– **SYNOPSIS:** Renewal of a Special Use Permit (#SP-2013-25) for boarding of four (4) horses at 5539, 5549 and 5531 Sloan Avenue

Mr. Anthony Arnold, 3438 North 55th Street, Kansas City, Kansas, applicant, appeared in support of this application. Mr. Arnold stated that he has had the animals on this property for over ten (10) years and every couple of years he comes back for renewal. He further stated that he paid the taxes today and showed the receipt to the staff.

Chairman Hurrelbrink stated that his major concern is the fence. He remembers farmers saying that good fences make good neighbors. He stated that he would not call his fences fair and when he drove by there he noticed that between the gate and gate post there is a gap that is approximately 3’ wide that a horse could walk right through. Those fences need a lot of work and if he is going to keep horses in a residential neighborhood, he would like to see some good fences. Mr. Arnold stated that he does not know when he was there but he does have to go back periodically and update, patch and repair the fence. He has not had any issues in ten (10) years but maybe one (1) time. He will pay attention to this fence again. In the spring he always has to repair the fences and he will be very mindful of that.

Mr. Phil Englehart, 3500 North 57th Street, Kansas City, Kansas, appeared concerning this application. He stated that he is not in favor or opposition but wanted to make some comments on the operation and land use. In particular it seems that a couple of general principles; one of the land use planning goals should be to maintain the environmental and economic value in the county and to try to minimize the nuisances associated with the given land use. He has been traveling up and down Sloan Avenue for thirty (30) years daily and his opinion is that the special use permit there is not achieving either one of those objectives as it should. He is not opposed to people using land to the highest and best use. If this permit is going to be renewed, there needs to be some stipulations that help to ensure that those general goals are met. The operation needs to be structured according to land use and good land use management practices. He is not talking anything about the horses and their quality of life. He is talking about the general land use.
Planning Director Richardson stated that he would note in the stipulations for approval the staff recommended supplementing the diet for horses so they will not eat all the vegetation on the site (existing stipulation) and a new stipulation was upgrading the fencing by September 1, 2015 because barb wire is not allowed in the R-1 Single Family District. Also, he would add mend the existing fence, straighten the poles and make sure the gates are in working order by September 1, 2015.

On motion by Mrs. Walker, seconded by Mr. Connelly, the Planning Commission voted as follows to recommend APPROVAL of Special Use Permit Application #SP-2015-26:

Carson       Aye
Connelly     Aye
DeWitt       Aye
Ernst        Aye
Escobar      Aye
Gonzalez     Aye
Huey         Aye
Hurrelbrink  Chairman
Pauley       Aye
Schwartzman  Aye
Walker       Aye

Motion to recommend APPROVAL Passed: 10 to 0

Subject to:

Urban Planning and Land Use Comments:

A special use permit was renewed for four (4) horses on May 30, 2013. Please provide an update to the following:

Applicant’s Comment: “I would like to amend my request for only two (2) horses, as that is all that I have had on the property since I began requesting my permits. The two horses are regularly rotated, however, they do stay overnight on the site.”

1. Ownership of Horses – Are the horses that are boarded on the land owned by the applicant?
   Applicant’s Response: “The two horses are owned by the applicant.”

2. Transport of Animals – Are the animals still transported via trailers, loaded off-street in driveways, etc.?
   Applicant’s Response: “When transported the horses are loaded in driveways or across the street where trailers are located.”

3. Number of Animals on Lots – Are all four (4) horses on a lot at any one (1) time? Are they there for three (3) or four (4) days and then rotated back to 3438 North 55th Street?
Applicant’s Response: “Again, I have never had four (4) horses on the property, only two (2) would amend my request for only two (2). They are rotated on a regular basis.”

4. Are there any structures (shelter) for the horses on the lots in question?
   Applicant’s Response: “No structures.”

5. Fencing – Please provide digital pictures showing the fencing and gate where the horses graze.
   Applicant’s Response: “I do not have a digital camera, but will take pictures with phone and send via computer.”

6. How many months a year do the horses graze on the three (3) lots?
   Applicant’s Response: “Off and on for nine or ten months, subject to the weather.”

7. What is done to ensure that the land does not become overgrazed and adequate ground cover is present?
   Applicant’s Response: “We maintain property on a month to month basis.”

8. The properties in question are 5531 Sloan Avenue 5539 Sloan Avenue and 5549 Sloan Avenue. Please provide current affidavits signed by the property owners.
   Applicant’s Response: “Affidavits were signed and submitted with my initial submission.”

Business Licensing Comments:

If this special permit is for boarding the applicants own horses, nothing needs to be done with our office. If the boarding would be conducted for others for any type of fee, applicant will need to register and file the occupation tax application with this office. There is no current filing as for any stable for rent.

Staff: This is not an issue as the applicant has noted that the land is only used to board the applicant’s own horses.

Conservation District Comments:

In summary, the following limitation and resource concerns were noted for this plat:
- There is one major soil type identified: Knox silt loam 7 to 12 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover.
- This site is not good for the horses, humans or the environment around them. This site’s heavy tree growth and amount of trees limit any good
grass growth. Trees use up the available nutrients and water. This limits the production of grass for the horses. They have hay available but the quality of the hay is poor. With the number of animals, compaction of the soil is a major problem. Water can’t be absorbed when it rains.

- Animal waste needs to be cleaned up and disposed of properly. Because of the poor grass cover, compaction and numerous bare spots there will cause excessive runoff from the site and carry animal waste with it into the drainage way.
- For this site to be acceptable for 4 horses most of the trees need to be removed. A good grass cover needed to be established. A small fenced-in area with a building for protection to keep the animals when soils are wet and not producing feed. A 30 foot wide bugger in the drainage way needs to be fenced out. The number of horses allowable should be determined by the number of good acres of grass cover. 2 acres of good quality healthy pasture for each horse. Until these measures are done this is not an acceptable site.

The approval for two (2) horses is subject to the following:
- Approval would be for three (3) years
- Supplement the hay provided for the horses with additional food sources in order to ensure adequate diet and manage current vegetation on the site
- Upgrade the fencing by September 1, 2015 as barbed wire is not allowed in R-1 Single Family District
- Mend and repair the existing fencing, straighten the fence poles and ensure the gates are in proper working order by September 1, 2015
- Apply additional seed/sod to the fenced-in area in an effort to establish better ground cover (Conservation District recommendation.)
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
913-573-5750

May 13, 2015

RE: SP-2015-26 Antony Arnold four horses 5539, 5549, and 5531 Sloan Avenue

Dear Mr. Richardson:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of the site for SP-2015-26 Antony Arnold four horses 5539, 5549, and 5531 Sloan 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

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 has 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.

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

- There is one major soil type identified: Knox silt loam 7 to 12 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover.
- This site is not good for the horses, humans or the environment around them. The sites heavy tree growth and amount of trees limit any good grass growth. Trees use up the available nutrients and water. This limits the production of grass for the horses. They have hay available but the quality of the hay is
poor. With the number of animals, compaction of the soil is a major problem. Water can’t be absorbed when it rains.

- Animal waste needs to be cleaned up and disposed of properly. Because of the poor grass cover, compaction and numerous bare spots there will cause excessive runoff from the site and carry animal waste with it into the drainage way.

- For this site to be acceptable for 4 horses most of the trees need to be removed. A good grass cover needs to be establish. A small fenced in area with a building for protection to keep the animals when soils are wet and not producing feed. A 30 foot wide buffer in the drainage way needs to be fence out. The number of horses allowable should be determined by the number of good acres of grass cover. 2 acres of good quality healthy pasture for each horse. Until these measures are done this is not an acceptable site.

Technical assistance is available from our office as well as the field manual, Protecting Water Quality, which is a useful guide for protecting community soil and water resources. This manual can be purchased from our office or it can be downloaded for free from the website http://www.dor.state.mo.us/wpscl/wpcp/wpcp-guide.htm. Limitation maps, detail soils reports and a conservation plan can also be requested for this site from our office.

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

Cheri Miller
District Manager

enclosures
General Horse Pasture Management

Key factors in management of horse pastures are proper liming and fertilizing, clipping, dragging and grazing pressure.

Test the soil

An inexpensive soil test, available from University of Missouri Extension, can help you determine the type and amount of fertilizer needed for good pasture growth. This will also help prevent nutrient runoff from over-fertilized pastures and reduce the cost of fertilizing by applying only what is needed. Test soil at least every three years to determine fertilizer and lime needs.

Manage Manure

Manure clumps are a major cause of spotty pasture growth. Horses will not graze in areas where manure is present. Manure piles can be scattered by harrowing or dragging, which helps the pasture by distributing the nutrients. It also reduces some parasite problems by exposing the parasites to sunlight. Dragging can be done with a spike-tooth harrow, flexible-chain harrow, or even just a wad of brush. For safety, only drag pastures when they are not occupied by horses. Then leave them unoccupied for at least two weeks before returning horses to the pasture or paddock.

Do not store piles of manure in places where runoff may enter streams or where floodwaters might wash the manure away. Manure piles should be at least 150 feet from streams, ponds and wells. Also establish and maintain grass buffer strips between water sources and manure piles.

Cover manure piles to keep out rainwater, or consider building a manure storage structure or composting bin. The structures protect stockpiled manure from runoff until the manure breaks down and can be used as fertilizer. There are many benefits to setting up a small composting facility. Composted manure makes an excellent, slow-release pasture and garden fertilizer, and it is an excellent soil conditioner.

Composting produces a relatively dry product that is easily handled and reduces the volume of the manure by 40-65 percent. Composting at proper
temperatures kills fly eggs and larvae, pathogens and weed seeds.

Virtually no viral diseases are transmitted between horses and humans through fecal material, but some bacteria and protozoan, (such as E. coli and Giardia) can be transmitted in this manner. Therefore, handle manure carefully to prevent disease transmission.

Establish a Sacrifice Lot

When pastures are muddy, when grass growth is very slow due to extended dry weather, or any time you don’t have a paddock ready to graze, move your horses to a sacrifice lot. A sacrifice lot is an exercise paddock or riding ring on which you don’t expect to keep a grass cover. The area may have grass, wood chips, stone dust or just soil. The intent is to sacrifice a small area of your property in order to give your pastures time to recover.

Locate sacrifice lots on high ground, as far away from waterways as possible. Install buffers or other erosion-control measures to filter runoff. In areas where soils are poorly drained or deep, consider adding a packed layer of rock or limestone screenings to keep the area from becoming muddy and to help prevent injuries caused by slippery conditions. Placing a fabric under the rock layer will reduce future maintenance needs.

Commercial erosion-control pads or geo-textile fabric also can be placed in sacrifice lots and covered with soil or other materials.

Know When Not to Graze

A common mistake made by horse owners is grazing new pastures too soon. Wait until the forage is at least 6 inches tall before placing horses on newly seeded pastures.

If the soil is wet or when rain is expected, do not turn horses into pastures, especially newly planted ones. Horses’ hooves do considerable damage to forages and to the soil, even in established pastures, when the soil is wet.

Provide Fresh, Clean Water

As you divide your acreage into paddocks, establish separate water sources for each paddock, or a single water source that is accessible from all paddocks. Horses should not have to travel more than 800 feet for water. Clean, fresh water is essential for good animal health. One option is to pipe water to a trough in each pasture.

Horses can consume between 8-12 gallons of water per day when the average temperature is 50 degrees Fahrenheit. That amount increases to 20-25 gallons per day when the temperature climbs to 90 degrees Fahrenheit.
May 26, 2015

Lauren Reiman
Planner
Department of Urban Planning
City of Kansas City, Kansas
701 North 7th Street
Kansas City, Kansas 66101

RE: Response to draft comments, for special use permit.

Dear Mrs. Reiman:

I would like to amend my request for only two (2) horses, as that is all that I have had on the property since I began requesting my permits.

The two horses are regularly rotated, however they do stay overnight on the site.

Response to comments:

1. The two horses are owned by the applicant.
2. When transported the horses are loaded in driveways or across the street where trailers are located.
3. Again I have never had four (4) horses on the property, only two (2) would amend my request for only two (2). They are rotated on a regular basis.
4. No structures.
5. Do not have a digital camera will take pictures with phone and sent via computer.
6. Off and on for nine or ten months, subject to the weather.
7. We maintain property on a month to month basis.
8. Affidavits were signed and submitted with my initial submission.

Sincerely,

Anthony Arnold
applicant
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #SP-2015-28 (070415)

GENERAL INFORMATION

Applicant: Marc and Pamela Rowe

Status of Applicant: Owners
11255 Leavenworth Road
Kansas City, KS

Requested Action:
Approve Special Use Permit

Date of Application:
April 21, 2015

Purpose:
To continue to host live entertainment and events in conjunction with a small farm winery

Property Location:
11255 Leavenworth Road

Existing Zoning:
A-G Agriculture District
Existing Surrounding Zoning: North: A-G Agriculture District
South: A-G Agriculture District
East: A-G Agriculture District
West: A-G Agriculture District

Existing Uses: North: Immediately adjacent uses are residences on acreages, although Canaan subdivisions are nearby.
South: Land being readied for single family subdivision development
East: Large acreage
West: Large acreage

Total Tract Size: 9.62 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Suburban Residential

Major Street Plan: The Prairie Delaware Piper Master Plan designates Leavenworth Road as a Major Arterial.

Advertisement: The Wyandotte Echo – May 14, 2015
Letters to Property Owner – May 13, 2015 and June 12, 2015

Public Hearings: June 8, 2015 and June 25, 2015

Public Opposition: No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: This is a request to host live entertainment events at 11255 Leavenworth Road in conjunction with an existing special use permit for a farm winery. The 9.6 acre site includes the applicant’s residence, a pond, an outbuilding, and about three acres of vineyard at this time. The special use permit renewal for the continuation of the farm winery, #SP-2013-29 was approved by the Planning Commission on May 13, 2013.

City Ordinance Requirements: Section VIII 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

   This is a largely rural, but developing area. In the relatively short term there could be single family development along at least two sides of the property.
2. **The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.**

The zoning and uses are set out above. We do not see compatibility issues that should cause problems for nearby residences.

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

The primary things permitted by this special use permit are allowing a tasting room and retail sales of wine produced on the property.

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

The property is not vacant.

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

Typically agricultural uses are not considered to be at odds with residential designations.

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.**

This is not an issue.

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 proposed use is not reasonably necessary for the convenience and welfare of the public. The addition of live entertainment could injure the appropriate use and visual quality of adjoining property.

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.**

Repetitive live events might pose noise or dust issues for neighbors, especially in the late evening hours during late spring and early autumn as homeowners tend to open their windows to allow in fresh air.

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

This is not a significant issue for the farm winery, however if trash is left from these events, debris may collect along the road, fence lines and onto neighbors property.
10. Whether the use would damage or destroy an irreplaceable natural resource.

This is not an issue.

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowner is minimal. If this petition is denied, the applicant can still operate the winery.

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

This is not an issue.

PREVIOUS ACTIONS

The special use permit renewal for the continuation of a small farm winery, #SP-2009-19 was approved by the City Planning Commission on April 13, 2009.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on May 18, 2015. According to the applicant, those that attended the meeting did not appear in opposition.

KEY ISSUES

Paved parking
Building Inspection’s comment

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Special Use Permit Application #SP-2015-28, subject to:

Urban Planning and Land Comments:

Overall, staff does not have much of an issue with this proposal. This type of business, if planned and managed properly, could fit on this property with little issue, however the reason for most live entertainment special use permits is to increase revenue by drawing patrons through music and events. Because of the potentially larger number of people that attend events, traffic and parking could be significantly impacted. Below are staff’s concerns. We are asking the applicant to please address these issues.
1. Subject to approval, this special use permit petition shall be valid for five (5) years.

2. For live entertainment:
   a. In 2013, Mr. Rowe indicated that he did not foresee events being held on any other days that Saturday and Sunday (for a private event). Have there been any changes to this schedule?

   Applicant Response: No events continue to be on the weekends.

   b. What time will these events begin and conclude?

   Applicant Response: Events are in the afternoon or early evening.

   c. What months are you hosting these events?

   Applicant Response: Events are all year with winter events being held inside.

   d. How have you continued to advertise your business and event space? Will you be advertising or promoting your event space, and if so, how?

   Applicant Response: Advertisement is through Facebook, the website, by word of mouth, and online event sites.

3. Is there any proposed signage on-site or off the property? If so, a sign permit is required for this type of business.

   A banner sign may be displayed on the property for no more than seven (7) days within one six-month period. If the banner sign is attached to a building, the banner sign may be displayed up to 30 days within any six-month period.

   Applicant Response: None are planned beyond the current open/closed sign.

4. Staff agrees with your parking improvement determination that an improved parking area is needed for this use. This will follow similar cases such as #SP-2010-50, Cider Hill Family Orchard. That applicant applied for a special use permit to operate an orchard, in conjunction with a bed and breakfast, gift shop and event space (wedding, fundraisers, etc.) at 3341 North 139th Street. The special parking ratio of 1 parking space per every 4 people was used and a 40 space paved parking lot was stipulated as part of the approval. According to the information provided by the applicant, 50-60 is the maximum number of people that would come to an event. Using the same parking ratio, 15 paved parking spaces would be required. Please show the actual parking spaces on your drawing. For your convenience we are providing the city parking standards for your use.
Sec. 27-669. Dimension of parking areas.

(a) Standard parking stall dimensions shall not be less than nine feet by 18 feet, plus the necessary space for maneuvering into and out of the space. For standard parking lots the minimum cross dimensions shall be as follows:

1. Ninety-degree pattern, single loaded aisle: 44 feet.
2. Ninety-degree pattern, double loaded aisle: 60 feet.
4. Sixty-degree pattern, double loaded aisle: 57 feet with one-way drive and 60 feet with two-way drive.
5. Forty-five degree pattern, single loaded aisle: 33 feet, with one-way drive.
6. Forty-five degree pattern, double loaded aisle: 49 feet with one-way drive; 52 feet with two-way drive.
7. Parallel space: Nine by 23 feet, each space.

(b) If vehicles can overhang wheel stops or curbs on one or both of the single or double loaded module, the dimensions set out in subsection (c) of this section can be reduced to two feet for each side where vehicles can overhang. Obviously, this is not possible where there are walls, tall curbs, or adjoining parking spaces.

Sec. 27-675(b)(1) Parking, loading and maneuvering areas for new single-family residences or for replacement or expansion of existing asphalt or concrete areas shall be improved with a permanent asphalt or concrete pavement to the standards set out in subsection (a) of this section.

Based on the 2014 aerial photograph, it does not appear that the 2,700 square foot paved parking addition has been constructed as proposed in May 2013.

What are your plans for paving the parking lot expansion?

**Applicant Response:** We added the parking as agreed to in the 2013 special use permit. We are in disagreement with the assessment comparing Rowe Ridge Vineyard & Winery to Cider Hill Orchard. We are an Agro-tourism business and their main business is a bed & breakfast/wedding venue. Rowe Ridge's business focus is different from Cider Hill's.

**Staff Response:** Any new parking must be code compliant.

5. Per the Building Inspection Department:
   a. Permit #11300-00292 was issued for new 2 story storage/accessory building. Project was never completed. Renew permit and request a final inspection.

   For assistance, please call (913) 573-8620.
Applicant Response: The permits were for framing and electrical and inspections were done when the work was completed.

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) 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

Staff Conclusion:

The applicant has worked with staff to improve the parking lot for his winery. To date, there has not been any neighborhood opposition to the live entertainment at Rowe Ridge Vineyard & Winery. Staff recommends approval of this petition as it is presented.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-28 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Aerial Photograph
Applicant Submittal Letter
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan from 2014
Parking and Loading Ordinance Sec. 27-675(a)
State Farm Winery Conditions
Site Photographs
MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2015-28** 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:

1. ________________________________________________________________________;
2. ________________________________________________________________________; And
3. ________________________________________________________________________.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2015-28**, 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.

JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

070415 SPECIAL USE PERMIT APPLICATION **#SP-2015-28** – MARC AND PAMELA ROWE – SYNOPSIS: Renewal of a Special Use Permit (**#SP-2013-29**) for live entertainment in conjunction with existing vineyard and winery at 11255 Leavenworth Road

Mr. Marc Rowe, 11255 Leavenworth Road, Kansas City, Kansas, applicant, appeared in support of this application. Mr. Rowe stated they own Rowe Ridge Vineyard and Winery and they are requesting renewal of their special use permit for live entertainment. They usually have one (1) or two (2) piece ensembles play on Saturday or Sunday whenever they need it for the crowd. At the neighborhood meeting, there were no problems and the neighbors do not realize that they have live entertainment as it is very low-key. They are secluded where they are located and the rules with the music is that if patrons cannot talk across the table then the music is too loud because they are there for social and wine.
Planning Commissioner Connelly asked what the hours of operation are for the live entertainment. Mr. Rowe stated that the hours vary depending on what they are doing. If it is an afternoon then it is 2:00 p.m. to 4:00 p.m. and 6:00 p.m. to 8:00 p.m. is what they have been doing in the evenings when it is muggy. The latest they have had it the last two (2) years is 8:00 p.m.

No one appeared in opposition to this application.

Planning Director Richardson stated the staff recommends approval subject to the staff stipulations.

On motion by Mr. Carson, seconded by Mr. Schwartzman, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit Application #SP-2015-28:

- Carson  Aye
- Connelly  Aye
- DeWitt  Aye
- Ernst  Aye
- Escobar  Aye
- Gonzalez  Aye
- Huey  Aye
- Hurrelbrink  Chairman
- Pauley  Aye
- Schwartzman  Aye
- Walker  Aye

Motion to recommend APPROVAL Passed: 10 to 0
Subject to:

**Urban Planning and Land Comments:**

Overall, staff does not have much of an issue with this proposal. This type of business, if planned and managed properly, could fit on this property with little issue, however the reason for most live entertainment special use permits is to increase revenue by drawing patrons through music and events. Because of the potentially larger number of people that attend events, traffic and parking could be significantly impacted. Below are staff’s concerns. We are asking the applicant to please address these issues.

1. Subject to approval, this special use permit petition shall be valid for five (5) years.
2. For live entertainment:
   a. In 2013, Mr. Rowe indicated that he did not foresee events being held on any other days that Saturday and Sunday (for a private event). Have there been any changes to this schedule?

   **Applicant Response:** No events continue to be on the weekends.

   b. What time will these events begin and conclude?
Applicant Response: Events are in the afternoon or early evening.

c. What months are you hosting these events?

Applicant Response: Events are all year with winter events being held inside.

d. How have you continued to advertise your business and event space? Will you be advertising or promoting your event space, and if so, how?

Applicant Response: Advertisement is through Facebook, the website, by word of mouth, and online event sites.

3. Is there any proposed signage on-site or off the property? If so, a sign permit is required for this type of business.

A banner sign may be displayed on the property for no more than seven (7) days within one six-month period. If the banner sign is attached to a building, the banner sign may be displayed up to 30 days within any six-month period.

Applicant Response: None are planned beyond the current open/closed sign.

4. Staff agrees with your parking improvement determination that an improved parking area is needed for this use. This will follow similar cases such as #SP-2010-50, Cider Hill Family Orchard. That applicant applied for a special use permit to operate an orchard, in conjunction with a bed and breakfast, gift shop and event space (wedding, fundraisers, etc.) at 3341 North 139th Street. The special parking ratio of 1 parking space per every 4 people was used and a 40 space paved parking lot was stipulated as part of the approval. According to the information provided by the applicant, 50-60 is the maximum number of people that would come to an event. Using the same parking ratio, 15 paved parking spaces would be required. Please show the actual parking spaces on your drawing. For your convenience we are providing the city parking standards for your use.

Sec. 27-669. Dimension of parking areas.
   (c) Standard parking stall dimensions shall not be less than nine feet by 18 feet, plus the necessary space for maneuvering into and out of the space. For standard parking lots the minimum cross dimensions shall be as follows:
   (1) Ninety-degree pattern, single loaded aisle: 44 feet.
   (2) Ninety-degree pattern, double loaded aisle: 60 feet.
   (3) Sixty-degree pattern, single loaded aisle: 37 feet with one-way drive.
   (4) Sixty-degree pattern, double loaded aisle: 57 feet with one-way drive and 60 feet with two-way drive.
(5) Forty-five degree pattern, single loaded aisle: 33 feet, with one-way drive.
(6) Forty-five degree pattern, double loaded aisle: 49 feet with one-way drive; 52 feet with two-way drive.
(7) Parallel space: Nine by 23 feet, each space.

(d) If vehicles can overhang wheel stops or curbs on one or both of the single or double loaded module, the dimensions set out in subsection (c) of this section can be reduced to two feet for each side where vehicles can overhang. Obviously, this is not possible where there are walls, tall curbs, or adjoining parking spaces.

Sec. 27-675(b)(1) Parking, loading and maneuvering areas for new single-family residences or for replacement or expansion of existing asphalt or concrete areas shall be improved with a permanent asphalt or concrete pavement to the standards set out in subsection (a) of this section.

Based on the 2014 aerial photograph, it does not appear that the 2,700 square foot paved parking addition has been constructed as proposed in May 2013.

What are your plans for paving the parking lot expansion?

Applicant Response: We added the parking as agreed to in the 2013 special use permit. We are in disagreement with the assessment comparing Rowe Ridge Vineyard & Winery to Cider Hill Orchard. We are an Agro-tourism business and their main business is a bed & breakfast/wedding venue. Rowe Ridge's business focus is different from Cider Hill's.

Staff Response: Any new parking must be code compliant.

5. Per the Building Inspection Department:
   a. Permit #11300-00292 was issued for new 2 story storage/accessory building. Project was never completed. Renew permit and request a final inspection.

For assistance, please call (913) 573-8620.

Applicant Response: The permits were for framing and electrical and inspections were done when the work was completed.
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) 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

Staff Conclusion:

The applicant has worked with staff to improve the parking lot for his winery. To date, there has not been any neighborhood opposition to the live entertainment at Rowe Ridge Vineyard & Winery. Staff recommends approval of this petition as it is presented.
Figure 1. Aerial photograph of 11255 Leavenworth Road (provided by ArcView GIS).
Figure 2. Aerial photograph of 11255 Leavenworth Road (provided by ArcView GIS).
Rowe Ridge Special Use Permit

4. Describe the present use and condition of the property:

The property is our home and business. It includes the house and the winery building as well as a 5 acre vineyard. The vineyard was planted in 2005. The house was built in 2000, and the winery building in 2012.

What is the proposed use(s) for the applicant property?

We would like to add live music events for winery customers. The events will be acoustical music and occur in the afternoon.

Existing Master Plan Use: Residential

State why, in your opinion, the requested action(s) is justified:

The vineyard was planted in 2005 and the winery building was built in 2012. Rowe Ridge Vineyard & Winery has been producing commercial wine since 2007. The Rowe Ridge tasting room opened for business in September 2012. As part of promotion of the winery, we plan to have Art and Music events to promote Rowe Ridge wine as well as local musicians and artists. The music will be acoustical and will be preformed outside on the covered patio. Most events will be on Saturday afternoons. We expect the events to be “come and go” and to see approximately 50 to 60 people at a time. The events are necessary to build Rowe Ridge into a viable and profitable business.

As we prepare to host events, part of the property improvement will include adding additional parking. Handicap parking will be added at the top of the drive, close to the stairs and handicap ramp. This parking will be concrete. Current parking along the driveway will be expanded to accommodate 30 to 40 cars. This parking area will be gravel and black top millings. The millings are rolled to compact the surface and work well for this area. The area is also used to receive deliveries from large commercial trucks and the movement of grapes by a Case loader during production. Both of these types of vehicles are destructive to black top paving. This also allows us to constantly maintain the parking in adverse weather conditions, as well as from heavy equipment used in the business. This
method is sustainable and cost effective both on the environment and our costs to maintain.

6. **Additional Information:**

As a registered agro-tourism business in the state of Kansas, we are encouraged to promote local business and talent. This includes bringing people out to the vineyard and winery to see and enjoy the products of Kansas agriculture. We are also members of the “The Land of Kansas” program to promote products and talents from the State of Kansas.
Response to Comments for Special Use Permit 2015-28

1. For live entertainment: a. In 2013, Mr. Rowe indicated that he did not foresee events being held on any other days that Saturday and Sunday (for a private event). Have there been any changes to this schedule? No events continue to be on the weekends.

b. What time will these events begin and conclude? Events are afternoon or early evening.

c. What months are you hosting these events? Events are all year with winter events being held inside.

d. How have you continued to advertise your business and event space? Will you be advertising or promoting your event space, and if so, how? Advertisement is through Face Book, the website, by word of mouth, and online event sights.

2. Is there any proposed signage on-site or off the property? If so, a sign permit is required for this type of business. None planned beyond the current open/ closed sign.

3. Staff agrees with your parking improvement determination that an improved parking area is needed for this use. We added the parking as agreed to in the 2013 SUP. We are in disagreement with the assessment comparing Rowe Ridge Vineyard & Winery to Cider Hill Orchard. We are an Agro-tourism business and their main business is as a bed & breakfast/ wedding venue. Rowe Ridge's business focus is different from Cider Hill's.

4. Per the Building Inspection Department: a. Permit #11300-00292 was issued for new 2 story storage/accessory building. Project was never completed. Renew permit and request a final inspection. The permits were for framing and electrical and inspections were done when the work was completed.
Neighborhood Meeting Minutes
SP#2015-28
Rowe Ridge Vineyard & Winery Music & Art Events
May 18, 2015 at 7:00pm

Attendees: Marc Rowe, Pamela Rowe, Raymond F. Dillon

The meeting opened with introductions and an overview of the special use permit request:
- Rowe Ridge is planning to have music and art events
- Music will be mainly acoustical
- Events will be planned for mainly Saturdays during daylight hours ending before dark
- We expect participants “come and go” over the time frame of the event.

We showed the attendees the winery facility and where the events will be staged.

Our questions to the neighbors –

1. Do you have concerns about noise or music levels?
   No one felt they would be affected. Raymond Dillon has not heard the music in the past 2 years.

2. Do you have concerns about traffic?
   There was mutual feeling that traffic affect would be minimal. The events are “come and go” so it very unlikely that there will be large influx of traffic at the beginning or end.

3. Do you have concerns about trash?
   There was mutual agreement that trash is already a major problem along Leavenworth Road from the normal traffic. Since the main product from the winery is wine in bottles there will be nominal extra trash. No food is served during events.

No other questions were asked by participants.

The meeting adjourned at 7:30pm.
Minutes taken by Pamela Rowe
Rowe Ridge Pictures

1. Facing west, this picture was taken coming up the driveway. Handicap parking will be on pavement by the stairs into the winery building. The pavement will be added this spring.

2. Facing east, this picture was taken looking down the driveway. Parking will be along the tree line. Construction materials will be removed this spring.

3. Facing northeast, this picture was taken at the bottom of the driveway. Parking will be to the right along the tree line and to the left along the tan stone wall.

4. Facing southwest, this picture was taken looking up the driveway toward the vineyard. The winery building is on the right. Parking will be along the tan stone wall to the right. This area will be finished with compacted asphalt millings.

5. Facing west, this picture was taken from the east parking area looking up the driveway.

6. Facing east, this picture was taken from the top of the driveway. This area will be paved and handicapped parking will be by the stairway. A ramp will be installed next to the stairs. This is the west side of the winery building. Live music will be under the covered patio.
Sec. 27-675. - Improvement and maintenance.

(a) *Generally.* All parking, loading and maneuvering areas except those serving single-family dwellings or agricultural uses shall be graded and surfaced with a permanent bituminous or concrete pavement. The minimum such surface shall be two inches of asphalt over six inches of compacted gravel. The unified government engineer shall determine acceptable alternatives. All parking spaces shall be clearly marked. All improvements shall be designed and constructed as necessary to prevent dust, erosion, excessive water flow across streets or adjoining property, and to control traffic. All off-street parking, loading and maneuvering areas shall be physically restricted to paved areas through the use of wheel stops or curbing, unless, in the opinion of the unified government engineer, wheel stops would create drainage problems. In such cases continuous curbing shall be provided to restrict traffic. Curbing and wheel stops shall be designed and installed as approved by the unified government engineer. Drives greater than 100 feet long which provide access to parking or loading areas but which do not adjoin or abut parking or loading areas may not be required to provide continuous curbing or anchored wheel stops at the discretion of the unified government engineer. Failure to keep such areas in satisfactory condition that is free from holes, clearly delineated, etc. shall constitute a violation of this article. A less but dust-free standard of improvement may be permitted by the unified government engineer for industrial storage yards used exclusively for inoperable vehicles, parts, building materials, supplies and equipment of heavy construction equipment and not for parking, loading or maneuvering.
41-308a. Farm winery license; authority of license. (a) A farm winery license shall allow:

1. The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

2. The sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, public venues, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 41-2645, and amendments thereto, and caterers;

3. The sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

4. The serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection (e), if the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

5. The sale of wine manufactured by the licensee for consumption on the licensed premises, provided, the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 et seq., and amendments thereto, and no drinking establishment license shall be required to make such sales;

6. If the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

7. If the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

8. The sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; and

9. The sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2009 Supp. 41-350, and amendments thereto.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

1. The sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

2. The serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection (e), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

3. The manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.

(c) Not less than 30% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The production requirement of this subsection shall be determined based on the annual production of domestic table wine and domestic fortified wine by the farm winery.

(d) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on
(5) if the licensee is also licensed as a club or drinking establishment, the sale of domestic beer and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act; and

(6) if the licensee is also licensed as a caterer, the sale of domestic beer and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a microbrewery licensee, the director may issue not to exceed one microbrewery packaging and warehousing facility license to the microbrewery licensee. A microbrewery packaging and warehousing facility license shall allow:

(1) The transfer, from the licensed premises of the microbrewery to the licensed premises of the microbrewery packaging and warehousing facility, of beer manufactured by the licensee, for the purpose of packaging or storage, or both; and

(2) the transfer, from the licensed premises of the microbrewery packaging and warehousing facility to the licensed premises of the microbrewery, of beer manufactured by the licensee; or

(3) the removal from the licensed premises of the microbrewery packaging and warehousing facility of beer manufactured by the licensee for the purpose of delivery to a licensed beer wholesaler.

(c) A microbrewery may sell domestic beer in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 11 a.m. and 7 p.m. on Sunday. If authorized by subsection (a), a microbrewery may serve samples of domestic beer and serve and sell domestic beer and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor.

(d) The director may issue to the Kansas state fair or any bona fide group of brewers a permit to import into this state small quantities of beer. Such beer shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such beer shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall specifically brand and type of beer to be imported, the quantity to be imported, the tasting programs for which the beer is to be used, and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of beer pursuant to this subsection and the conduct of tasting programs for which such beer is imported.

(e) A microbrewery license or microbrewery packaging and warehousing facility license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(f) No microbrewery shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premises supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(g) Whenever a microbrewery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.

To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #SP-2015-29 (150154)

GENERAL INFORMATION

Applicant:
Rafael Castillo-Carrera

Status of Applicant:
Applicant
2903 Shearer Road
Kansas City, KS 66106

Requested Action:
Special Use Permit for the Temporary Use of Land to park work vehicle in the driveway of the home

Date of Application:
April 21, 2015

Purpose:
To park work vehicle in the driveway of the home

Property Location:
2903 Shearer Road

Existing Zoning:
R-1 Single Family District

#SP-2015-29

June 25, 2015
**Existing Surrounding Zoning:**

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<tr>
<td>North</td>
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<tr>
<td>South</td>
<td>R-1 Single Family District</td>
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<tr>
<td>East</td>
<td>R-1 Single Family District</td>
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<tr>
<td>West</td>
<td>R-1 Single Family District</td>
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**Existing Uses:**

<table>
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<th>Direction</th>
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<tr>
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<td>Single-Family Homes</td>
</tr>
<tr>
<td>West</td>
<td>Single-Family Homes</td>
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</tbody>
</table>

**Total Tract Size:** 0.30 acre

**Master Plan Designation:** The City-Wide Master Plan designates this property as Low-Density Residential.

**Major Street Plan:** The Master Plan classifies Shearer Road as a local street.

**Advertisement:** The Wyandotte Echo – May 14, 2015
Letters to Property Owner – May 13, 2015 and June 15, 2015

**Public Hearings:** June 8, 2015 and June 25, 2015

**Public Opposition:** No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

### PROPOSAL

*Detailed Outline of Requested Action:* The applicant, Rafael Castillo-Carrera, wants to park his work vehicle in the driveway of his home during the week.

*City Ordinance Requirements:* 27-592 through 27-606

### FACTORS TO BE CONSIDERED

1. **The Character of the Neighborhood.**
   
   The neighborhood is all single family homes; it is residential in nature.

2. **The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.**
   
   The zoning of nearby properties is R-1 Single Family District. A large work truck is not typically compatible with this type of district.
3. **The suitability of the property for the uses to which it has been restricted.**
   *Will removal of the restrictions detrimentally affect nearby property.*

   The property in question is zoned R-1 Single Family District. The residential use is the best use and the removal of these restrictions could adversely affect surrounding neighbors if the truck is not properly shielded from public view.

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

   The property is currently occupied as a single family home by the applicant.

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

   The proposed application is not in conformance with the Master Plan. The Master Land Use Plan indicated the property to be low-density residential. Since the application is a request for a special use permit, and not rezoning, the degree of conformance is less serious.

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.**

   The storage of a large work truck would have some impact on vehicle circulation when it is not parked in the applicant’s driveway. As a larger vehicle, it would have a larger turning radius and must make slower turns. While this traffic circulation is not ideal, the street network and vehicular traffic can accommodate a truck of this size.

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 proposed use is not convenient to the mass public. It is only convenient to the owner of the truck. Staff is not aware of any negative reports from any of the applicant’s adjacent neighbors. However, a use such as this could possibly be perceived as a negative impact to adjoining property owners.

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.**

   Noise from a vehicle this size can produce noise that is slightly louder than a normal vehicle. The staff believes that the response from neighbors at the public hearing should gauge if the noise of the truck engine is an issue. Vibration, dust, and illumination should not be substantial issue with this application.

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

   Not applicable
10. **Whether the use would damage or destroy an irreplaceable natural resource.**

Not applicable

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

Any hardship that might result from the denial of this special use permit would be in the form of requiring the petitioner to find a commercial location for the truck at what would presumably be a significantly greater expense.

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

Overcrowding is not an issue with this application. The owner/driver of the truck lives on the premises. This means that extra parking for employees is not necessary. No undue concentration of population should exist.

**PREVIOUS ACTIONS**

Staff is not aware of any previous actions associated to this property.

**NEIGHBORHOOD MEETING**

The applicant held a neighborhood meeting on May 26, 2015 at 8 p.m. According to the applicant, two neighbors attended the meeting.

**KEY ISSUES**

No foreseeable end to the temporary special use permit
Truck in public view

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission voted 10 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-29, subject to:

**Urban Planning and Land Use Comments:**

1. Approval for two (2) years.
2. Property owner increase shrubbery along west side of driveway to shield truck from public view

3. A business license must be obtained for this business.
4. What is the proposed timespan of this action?
Applicant Response: Within this year.

5. What landscaping screening measures are in place to screen truck from public view?

Applicant Response: I asked all of the neighbors if they were bothered by having the truck parked in the driveway of my home at 2903 Shearer Road. All of them said that they were not bothered by the truck being parked in the driveway since it did not inconvenience them. One of them even said that they wouldn’t be bothered by having the truck parked in the street.

Public Works Comments:
None

Business License Comments:
We currently find no business registered as operating at that address or by the applicant name. If the applicant is engaged or would be engaged in a business activity from the home, they will need to register and file the occupation tax application with this office. If they are to be an employee of a business and the work vehicle would be used as dispatched to a job site, that business should be registered and filed with our office to conduct work in the city.

Staff: This is a nonissue as the applicant has stated that he is not the business owner. This business is not operating at the current time. This application is solely to store the truck on his driveway in an R-1 Single Family District.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-29 subject to all comments and suggestions outlined in this staff report.
ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Owner’s Affidavit
Neighborhood Meeting Affidavit
Neighborhood Meeting Sign-in Sheet
Answers to Staff Questions and Neighborhood Meeting Minutes
Site Pictures
Zoning Map
Aerial Map
Vicinity Map

REVIEW OF INFORMATION AND SCHEDULE

<table>
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<tr>
<th>Action</th>
<th>Planning Commission</th>
<th>Unified Government Commission</th>
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<tr>
<td>Public Hearing</td>
<td>June 8, 2015</td>
<td>June 25, 2015</td>
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<tr>
<td>Special Use</td>
<td>Approval</td>
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</tbody>
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STAFF CONTACT: Taylor Plummer tplummer@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-29 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:

1. ____________________________________________________________;

2. ___________________________________________________________; And

3. ____________________________________________________________.

OR

I move the Unified Government Board of Commissioners DENY Petition #SP-2015-29, 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.
150154 SPECIAL USE PERMIT APPLICATION #SP-2015-29 – RAFAEL CASTILLO-CARRERA - SYNOPSIS: Special Use Permit for the Temporary Use of Land to park a work vehicle in the driveway of the home at 2903 Shearer Road

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
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 dated May 14, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Tony Contreras, 2814 South 36th Street, Kansas City, Kansas, representing the applicant, appeared in support of this application. He stated that the applicant asked him to go with him and talk to the neighbors to see if they were opposed to him having the truck parked there. All the neighbors said that they did not have any problems with it. The applicant bought the truck to do a little catering on the Missouri side before he moved into this house.

Planning Commissioner Escobar asked if it is correct that he does not run the business out of his house. Mr. Contreras stated that is correct; he does not have a business at the house. He sells ice cream out of the truck such as at a soccer field on the weekends. Mr. Escobar asked if there is an ordinance prohibiting commercial vehicles being parked in residential areas. Planning Director Richardson stated yes, unless you have a special use permit. These cases with commercial trucks are hit and miss depending on the location, neighborhood, relationship with the neighborhood, etc. on whether or not they are approved or denied.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

On motion by Ms. Pauley, seconded by Ms. Huey, the Planning Commission voted as follows to recommend APPROVAL of Special Use Permit Application #SP-2015-29:

Carson  Aye
Connelly  Aye
DeWitt  Aye
Ernst  Aye
Escobar  Aye
Gonzalez  Aye
Huey   Aye
Hurrelbrink  Chairman
Pauley  Aye
Schwartzman Aye
Walker  Aye

Motion to recommend APPROVAL Passed: 10 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Approval for two (2) years.
2. Property owner increase shrubbery along west side of driveway to shield truck from public view

3. A business license must be obtained for this business.
4. What is the proposed timespan of this action?

   Applicant Response: Within this year.

5. What landscaping screening measures are in place to screen truck from public view?

   Applicant Response: I asked all of the neighbors if they were bothered by having the truck parked in the driveway of my home at 2903 Shearer Road. All of them said that they were not bothered by the truck being parked in the driveway since it did not inconvenience them. One of them even said that they wouldn’t be bothered by having the truck parked in the street.

Public Works Comments:

None

Business License Comments:

We currently find no business registered as operating at that address or by the applicant name. If the applicant is engaged or would be engaged in a business activity from the home, they will need to register and file the occupation tax application with this office. If they are to be an employee of a business and the work vehicle would be used as dispatched to a job site, that business should be registered and filed with our office to conduct work in the city.

Staff: This is a nonissue as the applicant has stated that he is not the business owner. This business is not operating at the current time. This application is solely to store the truck on his driveway in an R-1 Single Family District.
AFFIDAVIT, PROPERTY OWNER CONSENT FORM

STATE OF KS
COUNTY OF WY

Comes now Rafael Carrera, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the property owner of 2103 Shehee Rd. in Kansas City, Kansas.
   (Address)

2. That I have reviewed the application for Rafael Carrera to operate/develop P44 MGP on my
   (Proposed use) property.

3. That after discussing the matter and fully reviewing the application, I authorize this
   application and subsequent applications necessary to accomplish the plan/use noted above, to be filed on my behalf.

Further affiant saith not.

[Signature]
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 15th day of April 2015
My commission expires 6 of 16 2017

[Signature]
Notary Public

GILBERT VALLE
Notary Public
State of Kansas
Wyandotte County
My Appointment Expires 5/4/17

BOZA Application Case Number 4 of 7

#SP-2015-29 June 25, 2015
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF \ks\ \\
COUNTY OF \wy\ \\

Comes now \Rafael Carrera\ of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition #______
2. That I conducted a neighborhood meeting on \4-5-15\.
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.

\Rafael Carrera\ 
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this \1st\ day of \April\ 2015
My commission expires \6\ of \16\, 2015

\G. Val\ 
Notary Public

GILBERT VALLE
Notary Public
State of Kansas
Wyandotte County
My Appointment Expires \5-1-17\
Andrew Louis Oropeza 913 486-1844
2908 Shearer Road
Kansas City Kansas 04-01-15
Andrew Louis Oropeza

Jennifer Simmons-Fields (913) 548-2657
2803 Shearer Rd. KCKS 66106
5/26/2015

Rafael Carrera
2903 Shearer Road
Kansas City, KS, 66106

Neighborhood Meeting

I have filed an application with the Department of Urban Planning and Land Use #SP-15402-00025. The purpose of this special use permit is for a truck that is parked in the driveway at the following address: 2903 Shearer Road.

I am having a neighborhood meeting on 5/26/2015 at 8 pm. at the following address: 2903 Shearer Road.

The purpose of this meeting is to explain the purpose 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,

Rafael Carrera, (913) 904-6389.

What is the proposed timespan of this action? Within this year.

What landscaping screening measures are in place to screen truck from public view? We want to be able to save up money to make another driveway behind the house.

I asked all of the neighbors if they were bothered by having the truck parked in the driveway of my home at 2903 Shearer Road. All of them said that they were not bothered by the truck being parked in the driveway since it did not inconvenience them. One of them even said that they wouldn't be bothered by having the truck parked in the street.

Minutes from Neighborhood meeting...; 10 minutes talking
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #SP-2015-30 (070414)

GENERAL INFORMATION

Applicant: Jill L. Schultze

Status of Applicant: Applicant
221 South 22nd Street
Kansas City, KS 66102

Owner
2459 East 333rd Street
Melvern, KS 66510

Requested Action: Renewal of a Special Use Permit for a dog day care

Date of Application: April 22, 2015

Purpose: To continue to operate a dog day care

Property Location: 221 South 22nd Street
Existing Zoning: R-1(B) Single Family District

Existing Surrounding Zoning:
- North: R-1(B) Single Family District
- South: R-1(B) Single Family District
- East: R-1(B) Single Family District
- West: R-1(B) Single Family District

Existing Uses:
- North: Large lot homes
- South: Interstate 70
- East: Wooded vacant lots
- West: Wooded vacant lots

Total Tract Size: 1.00 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Urban Density.

Major Street Plan: The Master Plan classifies 22nd Street as a local residential street.

Advertisement: The Wyandotte Echo – May 14, 2015
Letters to Property Owner – May 13, 2015 and June 15, 2015

Public Hearings: June 8, 2015 and June 25, 2015

Public Opposition: No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jill Schultze, wants to continue to operate a dog day care of a vacant residential home. She wants to continue to provide door-to-door service, as clients are not allowed to drop off their dogs. The special use permit is a renewal of SP-2013-27.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is primarily comprised of wooded vacant lots. There are a few homes in the area, establishing a secluded, rural setting along I-70. The single family homes have ample space between them.
2. *The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.*

While the zoning of the properties around the proposed use is R-1(B) Single Family District, the area itself is relatively secluded with expansive wooded lots, sheltering homes from each other. There have not been any complaints of the proposed use reported to the Urban Planning and Land Use Department since the applicant’s original approval. The continued operation of the dog day care, giving its location and the surrounding neighborhood, is compatible.

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

The removal of the restrictions on the property will not detrimentally affect nearby property.

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

The property is the current location of the business.

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

Special Use Permits are not addressed in the 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.*

The proposed use will not result in increasing the amount of vehicular traffic where it exceeds capacity. The clients are not allowed to drop off their dogs at the address.

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 proposed use is reasonably necessary for the convenience of those that would use the service. The dog day care will not substantially injure the visual quality or marketability of adjoining property because of the seclusion of the lot.

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.*

Noise may be a problem, but because the homes are not abutting and there are heavily wooded lots buffering them, the intensity of the barking should be minimized. Additionally, the hours of operation will continue to be 8:30 a.m. to 5:30 p.m.
9. **Whether the proposed use will pollute the air, land or water.**

The applicant will have to continue to dispose of the dog waste in a timely manner; otherwise an odor will pollute the air of nearby property or water may be polluted.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

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

There is a minimal gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowners.

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

The proposed use will not result in overcrowding of land, as an acre is adequate space for dogs.

**PREVIOUS ACTIONS**

This special use permit is a renewal of #SP-2013-27. The Board of Commissioners previously approved the case as #SP-2011-28, #SP-2009-21, and #SP-2007-15; those cases were approved in 2011, 2009, and 2007 respectively. All petitions were approved for two (2) years.

**NEIGHBORHOOD MEETING**

The applicant held a neighborhood meeting on May 18, 2015. According to the applicant, no one attended the meeting.

**KEY ISSUES**

Animal waste
Hours of operation
The Planning Commission voted 10 to 0 to recommend approval of Special Use Permit Application #SP-2015-30, subject to:

**Urban Planning and Land Use Comments:**

1. The opinions of surrounding property owners are critical. Are there significant complaints made by surrounding property owners?
   
   *Applicant Response: I am unaware of any complaints in 8 years made by any neighbors surrounding the K-Club property located at 221 S. 22nd, Kansas City, KS 66102.*

2. What is the disposal process for dogs’ waste? How often is the waste disposed of?
   
   *Applicant Response: Employees pick up dog waste on a daily basis. There is a dumpster on the property that remains closed with the dog waste inside until Deffenbaugh takes it away once a week.*

3. How many times a day do vehicles drop off and pick up the dogs? What is the drop off and pick up process?
   
   *Applicant Response: Employee vans are the only vehicles that enter and exit the K-9 Club property. They enter one time a day and exit one time a day.*

4. What are the current hours of operation?
   
   *Applicant Response: Monday through Friday approximately 11 am to 2 pm. always depending on inclement weather.*

Staff recommends approval for five (5) years, subject to:

- Property owner maintains daily disposal of dogs’ waste
- Hours of operation are from 9 a.m. to 5 p.m.

**Public Works Comments:**

None

**Animal Control Comments:**

No objections
Business License Comments:

Applicant has maintained and is current on their occupation tax filing since special permit last approved. We have no comments or issues with this application.

Conservation District Comments:

There is one major soil type identified: Knox silt loam 12 to 18 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.

This site is well maintained. Grass cover is good. No bare spots that can create erosion problems. Solid pet waste needs to be picked up on a daily bases to prevent it from washing off into the drainage way.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-30 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Applicant’s Letter
Affidavit
Conservation District’s Comments
Neighborhood Meeting Minutes
Neighborhood Meeting Affidavit
Applicant’s Answers to Staff Comments
Zoning Map
Aerial Map
Vicinity Map

REVIEW OF INFORMATION AND SCHEDULE

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<th>Action</th>
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<td>Public Hearing</td>
<td>June 8, 2015</td>
<td>June 25, 2015</td>
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<td>Special Use Approval</td>
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STAFF CONTACT: Taylor Plummer tplummer@wycokck.org

#SP-2015-30 June 25, 2015
MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-30 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:

1. ____________________________________________________________________________;
2. ____________________________________________________________________________ And
3. ____________________________________________________________________________.

OR

I move the Unified Government Board of Commissioners DENY Petition #SP-2015-30, 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.

JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

070414 SPECIAL USE PERMIT APPLICATION #SP-2015-30 – JILL SCHULTZE WITH K-9 CLUB – SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-27) for a dog day care at 221 South 22nd Street

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 June 8, 2015;
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 comes forward and asks that an item be removed from the Consent Agenda.”
Chairman Hurrelbrink asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda. Planning Commissioner Connelly requested that Special Use Permit #SP-2015-28 be removed from the Consent Agenda. Mr. Brian Margo, 6420 Edith Avenue, Kansas City, Kansas, requested that Special Use Permit Application #SP-2015-16 be removed from the Consent Agenda. Chairman Hurrelbrink requested that Special Use Permit Application #SP-2015-26 be removed from the Consent Agenda.

On motion by Ms. Huey, seconded by Mr. Escobar, the Planning Commission voted as follows to recommend APPROVAL of the remaining items on the Consent Agenda:

- Carson: Aye
- Connelly: Aye
- DeWitt: Aye
- Ernst: Aye
- Escobar: Aye
- Gonzalez: Aye
- Huey: Aye
- Hurrelbrink: Chairman
- Pauley: Aye
- Schwartzman: Aye
- Walker: Aye

Motion to APPROVE Passed: 10 to 0

Subject to:

#SP-2015-30:

Urban Planning and Land Use Comments:

1. The opinions of surrounding property owners are critical. Are there significant complaints made by surrounding property owners?

   Applicant Response: I am unaware of any complaints in 8 years made by any neighbors surrounding the K-Club property located at 221 S. 22nd, Kansas City, KS 66102.

2. What is the disposal process for dogs’ waste? How often is the waste disposed of?

   Applicant Response: Employees pick up dog waste on a daily basis. There is a dumpster on the property that remains closed with the dog waste inside until Deffenbaugh takes it away once a week.

3. How many times a day do vehicles drop off and pick up the dogs? What is the drop off and pick up process?

   Applicant Response: Employee vans are the only vehicles that enter and exit the K-9 Club property. They enter one time a day and exit one time a day.
4. What are the current hours of operation?

Applicant Response: Monday through Friday approximately 11 am to 2 pm. always depending on inclement weather.

Staff recommends approval for five (5) years, subject to:

- Property owner maintains daily disposal of dogs’ waste
- Hours of operation are from 9 a.m. to 5 p.m.

Public Works Comments:

None

Animal Control Comments:

No objections

Business License Comments:

Applicant has maintained and is current on their occupation tax filing since special permit last approved. We have no comments or issues with this application.

Conservation District Comments:

There is one major soil type identified: Knox silt loam 12 to 18 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.

This site is well maintained. Grass cover is good. No bare spots that can create erosion problems. Solid pet waste needs to be picked up on a daily bases to prevent it from washing off into the drainage way.
To whom it may concern,

K-9 Club has been doing business at 221 S. 22nd Kansas City, KS 66102 for 8 years. We are a mobile doggie day care service that picks up dogs at their homes and takes them to the property and lets them run and play for a few hours and then we take them home. We have been successful in this business and would love to continue on. Nothing has changed with K-9 Club in the past 8 years and we will continue to run the business the exact same now and in the future. Thank you!

Sincerely,

Jill L. Schultze - Owner
AFFIDAVIT, PROPERTY OWNER CONSENT FORM

STATE OF KANSAS } SS:
COUNTY OF OZARK

Comes now Janet M. Schulze, of lawful age, sound mind and upon
(property owner)

his/her oath states as follows:

1. That I am the property owner of 221 S. 22nd St, KS 66102 in Kansas City,
   Kansas. (Address)

2. That I have reviewed the application for Jill I. Schulze, K-9 color
   (Applicant)

   operate/develop __________________ on my
   (Proposed use)

   property.

3. That after discussing the matter and fully reviewing the application, I authorize this
   application and subsequent applications necessary to accomplish the plan/use noted
   above, to be filed on my behalf.

Further affiant saith not.

Janet M. Schulze
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25th day of April, 2015.

My commission expires 14th of January, 2015.

AUBREY VANDE VELDE
Notary Public

BOZA Application Case Number___________ 4 of 7
May 13, 2015

RE: SP-2015-30 Jill Schultze with K-9 Club 221 South 22nd 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 site for SP-2015-30 Jill Schultze with K-9 Club 221 South 22nd 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

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 has 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.

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

- There is one major soil type identified: Knox silt loam 12 to 18 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
- The site is well maintained. Grass cover is good. No bare spots that can create erosion problems. Solid pet waste needs to be picked up on a daily bases to prevent it from washing off into the drainage way.
Technical assistance is available from our office as well as the field manual, *Protecting Water Quality*, which is a useful guide for protecting community soil and water resources. This manual can be purchased from our office or it can be downloaded for free from the website [http://www.dnr.state.mo.us/wpscd/wpcp/wpcp-guide.htm](http://www.dnr.state.mo.us/wpscd/wpcp/wpcp-guide.htm). Limitation maps, detail soils reports and a conservation plan can also be requested for this site from our office.

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

Sincerely,

[Signature]

Cheri Miller
District Manager

enclosures
Minutes/Summary for neighborhood meeting
K-9 Club 2015
221 S. 22\textsuperscript{nd} Kansas City, KS 66102

Application Number: SP-2015-30

Date: Monday May 18, 2015

Location: 221 S. 22\textsuperscript{nd} Kansas City, Ks 66202

Meeting called to order at: 6:00 pm

Names of people in attendance:
Jill Schultze (Owner)
Shirley Williams (K-9 Club Manager)

Others in attendance: No one else showed.

Meeting adjourned at: 6:45 pm

Minutes taken by: Jill Schultze
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas )
COUNTY OF Johnson ) SS:

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

1. That I am the petitioner for Petition #SP-2015-30
2. That I conducted a neighborhood meeting on May 14, 2015.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 19th day of May, 2015
My commission expires 22 of April 2018

PATRICE CROCKETT
Notary Public-State of Kansas
My Appt. Expires 04-22-18
Notary Public
Answers for Urban Planning & Land Use

1. I am unaware of any complaints in 8 years made by any neighbors surrounding the K-Club property located at 221 S. 22nd Kansas City, Ks. 66102

2. Employees pick up dog waste on a daily basis. There is a dumpster on the property that remains closed with the dog waste inside until Deffenbaugh takes it away once a week.

3. Employee vans are the only vehicles that enter & exit the K-9 Club property. They enter one time a day & exit one time a day.

4. Monday through Friday approximately 11 am to 2 pm. Always depending on inclement weather.
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #SP-2015-32 (130177)

GENERAL INFORMATION

Applicant:
Daniel Chang

Status of Applicant:
Applicant
Evergreen Daycare
21120 West 118th Terrace
Olathe, KS 66061

Requested Action:
Renewal of a Special Use Permit

Date of Application:
April 24, 2015

Purpose:
Special Use Permit to operate a daycare out of an old elementary school

Property Location:
1030 Orville Avenue

Existing Zoning:
R-1(B) Single Family District
**Existing Surrounding Zoning:**

<table>
<thead>
<tr>
<th></th>
<th>North:</th>
<th>South:</th>
<th>East:</th>
<th>West:</th>
</tr>
</thead>
<tbody>
<tr>
<td>North:</td>
<td>R-1(B) Single Family District (across the alley)</td>
<td>R-1(B) Single Family District</td>
<td>R-1(B) Single Family District C-3 Commercial District</td>
<td>RP-5 Planned Apartment District</td>
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<tr>
<td>South:</td>
<td>Single family homes</td>
<td>Single family homes (across Orville Avenue)</td>
<td>Single family homes and a convenience store (across alley)</td>
<td>Lowell Loft Apartments (senior housing)</td>
</tr>
</tbody>
</table>

**Total Tract Size:** .58 acre

**Master Plan Designation:** The City-Wide Master Plan designates this property as Public/Semi-Public.

**Major Street Plan:** The City-Wide Master Plan classifies North 10th Street as a Class C Thoroughfare and Orville Avenue as a local road.

**Advertisement:**
- The Wyandotte Echo – May 14, 2015
- Letters to Property Owner – May 13, 2015 and June 12, 2015

**Public Hearings:** June 8, 2015 and June 25, 2015

**Public Opposition:** No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

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**PROPOSAL**

**Detailed Outline of Requested Action:** The applicant is seeking a renewal for a special use permit to operate a daycare out of an old elementary school.

**City Ordinance Requirements:** 27-592 through 27-606

---

**FACTORS TO BE CONSIDERED**

1. *The Character of the Neighborhood.*

   The character of the neighborhood is comprised of single family residential homes to the north, south and east. There is an existing convenience store across the alley to the east and Lowell Lofts for seniors are adjacent to the west.
2. The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.

The zoning and uses of properties nearby are set out above. The proposed use should have been seen to be compatible with the surrounding 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.

It is unlikely that the proposed use will detrimentally affect nearby property if operated appropriately.

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

The property is not vacant. It is currently occupied by the applicant.

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

This application is not within the current scope of the 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.

Considering that the area was designed to accommodate a school, Staff does not believe that there will be any traffic impacts.

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 use adds the convenience of having another option for daycare to the neighborhood. There is no foreseen negative effect on the community and the surrounding neighborhood.

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.

This is not foreseen to be an issue.

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

The use will not pollute the air, land, or water.

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

This is not foreseen to be an issue.
11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

Although we do not see significant gains to the public health, safety, and welfare, neither do we see significant hardships imposed on those nearby.

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

This is not an issue.

PREVIOUS ACTIONS

A special use permit was approved on May 30, 2013 to operate a daycare out of an old elementary school as case #SP-2013-24 for a two (2) year time span.

NEIGHBORHOOD MEETING

A neighborhood meeting is not required.

KEY ISSUES

Hours of operation
Drop off and pick up procedures
Signs

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Special Use Permit Application #SP-2015-32, subject to:

Urban Planning and Land Use Comments:

1. What are the maximum number of children and employees?

   Applicant’s Response: “We are licensed to care for 12 children maximum for now and we have 4 employees including myself.”

2. What are the hours of operation?

   Applicant’s Response: “Monday thru Friday 6:30 am - 6:00 pm”

3. What are the current-drop off and pick-up procedures?

   Applicant’s Response: “Parents drop-off and pick-up children from Orville Avenue entrance.”
4. Are there any signs currently on the property?

Applicant’s Response: “We have banners posted on the wired fence and 3rd sign posted on the inside fence of kiddie play ground.”

Staff Conclusion:

Staff recommends approval subject to the following:
- Any approval would be for five (5) years
- All signs must be removed as signs are not allowed in the R-1 Single Family District

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-32 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Zoning Map
Vicinity Maps (2)
Applicant Response

REVIEW OF INFORMATION AND SCHEDULE

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STAFF CONTACT: Lauren Reiman Ireiman@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-32 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:
I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2015-32**, 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.

**JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:**

130177 SPECIAL USE PERMIT APPLICATION #SP-2015-32 – DANIEL CHANG WITH EVERGREEN DAY CARE INC. – SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-24) for a day care center at 1030 Orville Avenue

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (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 June 8, 2015;
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 comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Hurrelbrink asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda. Planning Commissioner Connelly requested that Special Use Permit #SP-2015-28 be removed from the Consent Agenda. Mr. Brian Margo, 6420 Edith Avenue, Kansas City, Kansas, requested that Special Use Permit Application #SP-2015-16 be removed from the Consent Agenda. Chairman Hurrelbrink requested that Special Use Permit Application #SP-2015-26 be removed from the Consent Agenda.
On motion by Ms. Huey, seconded by Mr. Escobar, the Planning Commission voted as follows to recommend APPROVAL of the remaining items on the Consent Agenda:

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<td>Schwartzman</td>
<td>Aye</td>
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<td>Walker</td>
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Motion to APPROVE Passed: 10 to 0

Subject to:

#SP-2015-32:

Urban Planning and Land Use Comments:

1. What are the maximum number of children and employees?

   Applicant’s Response: “We are licensed to care for 12 children maximum for now and we have 4 employees including myself.”

2. What are the hours of operation?

   Applicant’s Response: “Monday thru Friday 6:30 am - 6:00 pm”

3. What are the current-drop off and pick-up procedures?

   Applicant’s Response: “Parents drop-off and pick-up children from Orville Avenue entrance.”

4. Are there any signs currently on the property?

   Applicant’s Response: “We have banners posted on the wired fence and 3rd sign posted on the inside fence of kiddie play ground.”

Staff Conclusion:

Staff recommends approval subject to the following:

- Any approval would be for five (5) years
- All signs must be removed as signs are not allowed in the R-1 Single Family District
1. We are licensed to care for 12 children maximum for now and we have 4 employees including myself.
2. Monday thru Friday
   6:30 am - 6:00 PA
3. Parents drop-off and pick-up children from Orville Ave. entrance.
4. We have banners posted on the wired fence and 3rd sign posted on the inside fence of kiddie playground.

On May 26, 2015 12:01 PM, "Reiman, Lauren" <lreiman@wycokck.org> wrote:

Mr. Chang,

Again, I will need your answers to these comments and questions as soon as possible. There are four questions under the ‘Staff Comments and Suggestions’ section that you will need to answer.

Thank you,

Lauren

Lauren E. Reiman

Unified Government of Wyandotte / KCK

Planning Intern

701 N. 7th St.

Kansas City, KS 66101

Work: (913) 573-5756

Email: lreiman@wycokck.org
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #SP-2015-33 (980324)

GENERAL INFORMATION

Applicant:
Dr. Kelli Mather

Status of Applicant:
Representative
USD #500
Kansas City, Kansas Public School District

Requested Action:
Approve Special Use Permit

Date of Application:
April 26, 2015

Purpose:
To operate an additional modular classroom for Sumner Academy

Property Location:
1610 North 8th Street

Existing Zoning:
RP-5 Planned Apartment District
Existing Surrounding Zoning: North: RP-5 Planned Apartment District
   South: RP-5 Planned Apartment District
   East: RP-5 Planned Apartment District
   West: RP-5 Planned Apartment District

Existing Uses: North: Single family residences, vacant parcels, and New Bethel Church
   South: Single family residences, vacant parcels, St. Peter’s Church, Eighth Street Baptist Church
   East: Single family residences and vacant parcels
   West: Single family residences and vacant parcels

Total Tract Size: 11.21 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Public/Semi-Public.

Major Street Plan: 8th street is a designated Class B Thoroughfare.

Advertisement: The Wyandotte Echo – May 14, 2015
   Letters to Property Owner – May 13, 2015 and June 15, 2015

Public Hearings: June 8, 2015 and June 25, 2015

Public Opposition: No one appeared in opposition to this application at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: USD 500 wants to use an additional modular classroom at Sumner Academy. There is currently one modular classroom on site. The unit is currently on a parking area on the north side of the property. The proposed units would be placed just to the west of the existing unit.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.
   This neighborhood is an older urban area predominately comprised of single family residences and vacant parcels.

2. The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.
The zoning and uses of nearby properties are set out above. The school is an existing use of longstanding; such uses are considered compatible with residential areas.

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

The property is suitable for use as a school.

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

The property is not vacant

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

Special use permits are not addressed in the 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.**

The proposed use should have no impact on vehicular traffic. Presumably the students would continue to use the modular unit already within the school’s attendance zone.

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 proposed use is reasonably necessary for the convenience and welfare of the public and because the modular unit is not intended to be permanent and therefore should not substantially or permanently injure the appropriate use, visual quality or marketability of adjoining property.

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.**

This should not be an issue.

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

This should not be an issue.

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

This should not be an issue.
11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

There would be no significant gain to the public health, safety and welfare from the denial of this special use permit, but a possibility exists of real hardship in the form of over-crowding of the existing school.

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

This should not be an issue.

PREVIOUS ACTIONS

Preliminary and Final Plan for 15,313 SF addition, approved in February 2009
Special Use Permit for modular classroom, approved in April 2012, and July 2014

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on May 21, 2015. No one attended.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Special Use Permit Application #SP-2015-33, subject to:

Urban Planning and Land Use Comments:

1. This type of special use permit, temporary use of land for commercial or industrial purposes is valid for two (2) years; what is the current timeframe for the modular classroom unit?

   Applicant Response: Dr. Mather will reassess the classrooms; future solutions will be dependent upon available funds.

Public Works Comments:

No comments
STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-33 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Aerial photo
Zoning map
Site plan

REVIEW OF INFORMATION AND SCHEDULE

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STAFF CONTACT: Jamie Ferris jferris@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-33 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:

1. ____________________________________________________________;

2. ___________________________________________________________; And

3. ____________________________________________________________.

OR

I move the Unified Government Board of Commissioners DENY Petition #SP-2015-33, 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.

#SP-2015-33 June 25, 2015
June 8, 2015 CITY PLANNING COMMISSION MINUTES:

980324 SPECIAL USE PERMIT APPLICATION #SP-2015-33 – DR. KELLI MATHER
WITH USD #500 - SYNOPSIS: Special Use Permit for a second modular classroom at
1610 North 8th Street

Recording Secretary Parker stated that the following items should be included as part of
the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
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 dated May 14, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to
disclose concerning this case. (No one responded in the affirmative.)

Mr. Michael Coates, ACI-Boland Architects, 1421 East 104th Street, Kansas City,
Missouri, representing the applicant, appeared in support of this application. He stated
that this is for an additional modular classroom adjacent to the current one at Sumner
Academy. He further stated that it will house four (4) additional classrooms.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval subject to the
stipulations.

On motion by Ms. Huey, seconded by Mr. Escobar, the Planning Commission voted as
follows to recommend APPROVAL of Special Use Permit Application #SP-2015-33:

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Motion to recommend APPROVAL Passed: 10 to 0
Subject to:
Urban Planning and Land Use Comments:

1. This type of special use permit, temporary use of land for commercial or industrial purposes is valid for two (2) years; what is the current timeframe for the modular classroom unit?

   Applicant Response: Dr. Mather will reassess the classrooms; future solutions will be dependent upon available funds.

Public Works Comments:

No comments
To: Unified Government Board of Commissioners  
From: City Staff  
Date: June 25, 2015  
Re: Petition #SP-2015-34 (150155)  

**GENERAL INFORMATION**  

**Applicant:**  
Dr. Kelli Mather  

**Status of Applicant:**  
Representative  
USD #500  
Kansas City, Kansas Public School District  

**Requested Action:**  
Approve Special Use Permit  

**Date of Application:**  
April 26, 2015  

**Purpose:**  
To operate two modular classrooms for Lindbergh Elementary School  

**Property Location:**  
641 North 57th Street  

**Existing Zoning:**  
R-1 Single Family District
**Existing Surrounding Zoning:**
- **North:** R-1 Single Family District
- **South:** R-1 Single Family District
- **East:** R-1 Single Family District
- **West:** R-1 Single Family District

**Existing Uses:**
- **North:** Single family residences
- **South:** Single family residences
- **East:** Single family residences
- **West:** Single family residences

**Total Tract Size:** 10.34 acres

**Master Plan Designation:** The City-Wide Master Plan designates this property as Public/Semi-Public.

**Major Street Plan:** North 57th street is a designated local street.

**Advertisement:**
- The Wyandotte Echo – May 14, 2015
- Letters to Property Owner – May 13, 2015 and June 15, 2015

**Public Hearings:** June 8, 2015 and June 25, 2015

**Public Opposition:** No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

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**PROPOSAL**

**Detailed Outline of Requested Action:** USD 500 wants to use two modular classrooms at Lindbergh Elementary School. There are currently four modular classrooms on site; those will be removed and these two proposed will replace them. The units are currently on a parking area on the north side of the property. The proposed units would be placed closer to the main school building on the west side and in between the buildings.

**City Ordinance Requirements:** 27-592 through 27-606

---

**FACTORS TO BE CONSIDERED**

1. **The Character of the Neighborhood.**

   This neighborhood is an older suburban area predominately comprised of single family residences.

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

   The zoning and uses of nearby properties are set out above. The elementary school is an existing use of longstanding; such uses are considered compatible with residential areas.
3. **The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property.**

   The property is suitable for use as a school.

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

   The property is not vacant.

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

   Special use permits are not addressed in the 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.**

   The proposed use should have no impact on vehicular traffic. Presumably the students would continue to use the modular unit already within the school’s attendance zone.

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 proposed use is reasonably necessary for the convenience and welfare of the public and because the modular unit is not intended to be permanent and therefore should not substantially or permanently injure the appropriate use, visual quality or marketability of adjoining property.

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.**

   This should not be an issue.

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

   This should not be an issue.

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

    This should not be an issue.
11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

There would be no significant gain to the public health, safety and welfare from the denial of this special use permit, but a possibility exists of real hardship in the form of over-crowding of the existing school.

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

This should not be an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on May 18, 2015. Two people were in attendance, no opposition was expressed.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Special Use Permit Application #SP-2015-34, subject to:

Urban Planning and Land Use Comments:

1. This type of special use permit, temporary use of land for commercial or industrial purposes is valid for two (2) years; what is the current timeframe for the modular classroom unit?

   Applicant Response: Dr. Mather will reassess the classrooms; future solutions will be dependent upon available funds.

2. A soft playground must be created and new playground equipment installed that matches the standards of the newly built school playgrounds.

Public Works Comments:

No comments.
STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-34 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Aerial photo
Zoning map
Site plan

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STAFF CONTACT: Jamie Ferris jferris@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-34 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:

1. ______________________________________________________________________;

2. ______________________________________________________________________; And

3. ______________________________________________________________________.

OR

I move the Unified Government Board of Commissioners DENY Petition #SP-2015-34, 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.
JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

150155 SPECIAL USE PERMIT APPLICATION #SP-2015-34 – DR. KELLI MATHER
WITH USD #500 - SYNOPSIS: Special Use Permit for two (2) new modular classrooms
to replace the existing four (4) modular classrooms at 641 North 57th Street

Recording Secretary Parker stated that the following items should be included as part of
the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
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 dated May 14, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to
disclose concerning this case. (No one responded in the affirmative.)

Mr. Michael Coates, ACI-Boland Architects, 1421 East 104th Street, Kansas City,
Missouri, representing the applicant, appeared in support of this application. He stated
that they are proposing to remove the four (4) small modular classrooms located at the
north side of the property and replace them with two (2) newer ones. One will be
located inside the “U” that creates the current building and the other on the north end of
the west classroom building. Once the two (2) modular units are in place, the four (4)
current ones will be removed and the area will be used for playground and drop off/pick
up for students. The current trailers are coming from Central Elementary.

Planning Commissioner Carson asked how long the current trailers have been at this
location. Mr. Coates stated forty-one (41) years.

Planning Director Richardson asked if there is any soft-grass playground for this school
or is it all asphalt. Mr. Coates stated that it is all in asphalt. Besides the parking areas
the rest of the property drops off and is not usable. Director Richardson asked if there
is any playground equipment. Mr. Coates stated that there is minimal playground
equipment. Director Richardson stated that this is an elementary school. Mr. Coates
stated yes.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval subject to the
stipulations in the staff report and adding a new one that they must create a soft
playground and install new playground equipment to match the standards of their other
playgrounds. If they are going to have new buildings for administrators then there
needs to be proper equipment and facilities for the children too.
On motion by Mr. Ernst, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend APPROVAL of Special Use Permit Application #SP-2015-34:

- Carson Aye
- Connelly Aye
- DeWitt Aye
- Ernst Aye
- Escobar Aye
- Gonzalez Aye
- Huey Aye
- Hurrelbrink Chairman
- Pauley Aye
- Schwartzman Aye
- Walker Aye

Motion to recommend APPROVAL Passed: 10 to 0

Subject to:

Urban Planning and Land Use Comments:

1. This type of special use permit, temporary use of land for commercial or industrial purposes is valid for two (2) years; what is the current timeframe for the modular classroom unit?

   Applicant Response: Dr. Mather will reassess the classrooms; future solutions will be dependent upon available funds.

2. A soft playground must be created and new playground equipment installed that matches the standards of the newly built school playgrounds.

Public Works Comments:

No comments.
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #SP 2015-35 (150155)

GENERAL INFORMATION

Applicant:
Janelle and Brandon Peterson

Status of Applicant:
Applicants
5144 Cody Street
Overland Park, KS

Requested Action:
Approve Special Use Permit

Date of Application:
April 26, 2015

Purpose:
To operate a bed and breakfast in the home

Property Location:
3200 North 115th Street

Existing Zoning:
R-1 WYCO Single Family District
**Existing Surrounding Zoning:**
- **North:** AG Agricultural District
- **South:** R-1 WYCO Single Family District
- **East:** R-1 WYCO Single Family District
- **West:** R-1 WYCO Single Family District

**Existing Uses:**
- **North:** Large Lot single family residences and vacant parcels
- **South:** Large Lot single family residences and vacant parcels
- **East:** Large Lot single family residences and vacant parcels
- **West:** Large Lot single family residences and vacant parcels

**Total Tract Size:** .98 acre

**Master Plan Designation:** The Piper-Delaware Master Plan designates this property for suburban residential.

**Major Street Plan:** North 115th Street is a designated Class C thoroughfare

**Advertisement:** The Wyandotte Echo – May 14, 2015
- Letters to Property Owner – May 13, 2015 and June 15, 2015

**Public Hearings:** June 8, 2015 and June 25, 2015

**Public Opposition:** Staff has been contacted by several nearby property owners. These individuals have raised concern over the effect on property values, signage and/or lighting on the property, and the potential to bring more commercial uses to the neighborhood. Staff has explained the temporary and limited nature of Special Use Permits and the strict enforcement of such actions. None of the individuals expressed that they were adamantly against the proposed use; however, there was concern and many questions. Staff recommends that the applicants work closely with neighbors to ensure all parties are satisfied with how the business is operating within the neighborhood. There was one (1) neighbor that appeared with questions, not opposition, at the June 8, 2015 City Planning Commission meeting.

---

**PROPOSAL**

**Detailed Outline of Requested Action:** The applicant is seeking a special use permit in order to operate a bed and breakfast out of the four-bedroom home.

**City Ordinance Requirements:** 27-592 through 27-606

---

**FACTORS TO BE CONSIDERED**

1. **The Character of the Neighborhood.**

   This neighborhood is largely still undeveloped but planned for large lot residences.
2. *The zoning and uses of properties nearby and the proposed use’s expected compatibility with them.*

The zoning and uses of nearby properties are set out above and are residential in nature. The bed and breakfast, while a commercial venture, would be a primarily residential use.

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

The home was built in such a manner that lends itself well to a bed and breakfast use. The property is currently secluded enough to not be a burden on adjacent property owners.

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

The property is not vacant but the home is unoccupied.

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

Special use permits are not addressed in the 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.*

The proposed use could bring a number of cars to the property, which, though there are few neighbors, could be a burden to those in the area. Guests of the bed and breakfast would not be permitted to park anywhere but in the driveway.

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 proposed use is not particularly necessary for the convenience and welfare of the public though the argument could be made that tourists to western Wyandotte County for various attractions need a variety of accommodation choices.

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.*

This should not be an issue.

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

This should not be an issue.
10. **Whether the use would damage or destroy an irreplaceable natural resource.**

This should not be an issue.

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

There would be no significant gain to the public health, safety and welfare from the denial of this special use permit.

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

This should not be an issue.

## PREVIOUS ACTIONS

None

## NEIGHBORHOOD MEETING

The applicants held a neighborhood meeting on May 19, 2015. Three people were in attendance. One other neighbor was contacted by phone. The neighbors expressed concerns over commercial use in the neighborhood, effects on property values, noise and other disturbances. The applicants addressed concerns with the people in attendance. See meeting minutes in attachments for more detail.

## KEY ISSUES

None

## PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Special Use Permit Application #SP-2015-35, subject to:

**Urban Planning and Land Use Comments:**

1. **How many guests will be staying at one time?**

   **Applicant Response:** A maximum total of 10 guests will be able to be accommodated at one time. This count encompasses:
   
   a. One-bedroom suite – two guests in bedroom and two guests on sofa bed
b. Studio apartment – two guests on king bed, two guests on sofa bed, and option for two additional guests on roll-away when additional space may be needed for children.

2. Please provide images of the property (separate from the presentation or business plan)

   Documents are in file.

Comments and Stipulations:

- No Signage
- No on-street parking
- Owners must maintain residence in the home
- Approval would be for two (2) years
- Before expanding into the room above the detached garage the special use permit would need to be modified for the bed and breakfast.

Public Works Comments:

No comments

Building Inspection Comments:

The following permits were issued for the completion of this house. Permit 02300-00022, 03300-00926 and 06300-00419. This project is completed through the rough in inspection. All permits were abandoned and the project was never completed. Records indicate the house is occupied without a final inspection. Renew permits and request a final inspection.

Permit 08300-01312 was obtained for detached garage with storage above. Inspections are not completed for this structure. Renew permits and have request a final inspection.

Applicant Response: Current homeowner was informed of outstanding permits and is currently working with a Wyandotte County licensed contractor to complete necessary items that would satisfy permit requirements.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #SP-2015-35 subject to all comments and suggestions outlined in this staff report.
MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-35 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:

1. ...........................................................................................................

2. ...........................................................................................................; And

3. ...........................................................................................................

OR

I move the Unified Government Board of Commissioners DENY Petition #SP-2015-35, 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.

JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

150135 SPECIAL USE PERMIT APPLICATION #SP-2015-35 – BRANDON AND JANELL PETERSON - SYNOPSIS: Special Use Permit for a bed and breakfast at 3200 North 115th Street

Recording Secretary Parker stated that the following items should be included as part of the record for this case:
Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Ms. Janell Peterson, 5144 Cody Street, Shawnee, Kansas, applicant, appeared in support of this application. She stated that they are requesting a special use permit to use the property at 3200 North 115th Street as their primary residence and a bed and breakfast. The property is well situated for this type of use. They will have a one-bedroom suite which would be above the attached garage facility and use the lower level of the main house which would be a studio apartment-type accommodation for guests. She further stated that the maximum guest count at any one time would be ten (10) including children. Most of the time it would be less than that but this is estimating two (2) adults and two (2) children per room. The main floor would be public space accessible to guests. They could have social time in the hearth room or sitting area. She would prepare breakfast for them and serve it in the dining room on the main floor. The upper two (2) floors would be the owners’ quarters. She stated that they had a successful experience with the neighborhood meeting and was able to talk to not only people currently in the area but also two (2) purchasers of the lots behind them. One of the questions that came up was with regard to parking for their guests. Their plan is to utilize the attached two-car garage as parking so the vehicles for their guests are not on display and anything above that would be in the driveway; there would be no parking on Parkview Avenue which is the cul-de-sac area located next to the property. Another question was whether they could maintain the home and keep it in a condition that would be representative of the neighborhood and make sure that the exterior landscaping is maintained. She stated that her answer was absolutely; they are interested in attracting people to the property and having them stay with them. The market that they are looking to attract is one that has a draw to the area near The Legends and Speedway; they are looking to attract family travelers and leisure travelers that are looking to sight see. Generally they would arrive in the evening and they would have breakfast in the morning and then go about their day. By lodging laws in the state of Kansas they would not be allowed to serve them any other meals so they would only have breakfast and then utilize the businesses in the area for their other meals. She stated that they would also like to attract some of the business travelers coming to the area to help fill some of their weekday space. She has also been in contact with Bridgett Jobe, Executive Director of the Kansas City Convention and Visitors Bureau as well as another bed and breakfast operator in Bonner Springs. They feel that the market is a good one and they would be able to sustain this type of business and it would be an asset to the community to offer another bed and breakfast.
Planning Commissioner Escobar asked if she has had experience in this type of business. Mrs. Peterson stated that her degree is in hotel and restaurant management from Kansas State University and since that time she has been in the industry in meeting and event planning in Johnson County, Kansas City, Kansas and Kansas City, Missouri through various organizations. This is something that she has wanted to do and for several years they have been trying to find the right property.

Planning Commissioner Ernst asked who owns the house. Mrs. Peterson stated Mr. Morrison and the house is currently unoccupied. The current owners have relocated to be on post at Ft. Leavenworth. Mr. Ernst asked if the issues of no final inspection, permits, etc. have been addressed. Planning Director Richardson stated that all of those issues will be addressed before final occupancy.

Planning Commissioner Gonzalez asked what amenities will be offered to attract people to come and stay at this bed and breakfast, what will be the pricing to stay, transportation from the airport if needed, etc. and any future amenities. Mrs. Peterson stated that they are bed and breakfast travelers or vacation home stay travelers so that is something that they are familiar with and from their perspective they enjoy the opportunity to interact with people who are residents of the community and know the area so they can give them insight and suggest things that they could see and do. One of the things that is nice about bed and breakfast is that they are more of a residential type feel for someone looking to be in a place in a more home-like atmosphere as opposed to a hotel setting where they are a little more anonymous. It depends on the personality. Down the road they are looking to doing a little more expansion to the exterior areas making it more of a landscaping situation that would be more attractive. A pool is not in the plan for them. There is a detached three-car garage and currently that upper level is unfinished and down the road they plan to convert that to a guest type suite. They have discussed making that more of a luxury type suite for a honeymoon type atmosphere. Mr. Gonzalez asked about walking trails and areas for children to play and be safe. Mrs. Peterson stated they have two (2) sons (6 months and 3 years old) so it will also be their family home and there will be a playground area. They would love to see more parks and walking trails in the area and would support them but that is not something they would do themselves. Mr. Gonzalez asked if they will employ a housekeeper to clean the rooms. Mrs. Peterson stated at first it would be her. With the two (2) rooms they would not need to have additional help. Her husband is very skilled in home remodeling and home care so he would be the primary person that would handle that unless it was something outside their scope and then they would hire a contractor. Mr. Gonzalez asked if this will be her first bed and breakfast to manage. Mrs. Peterson stated yes.

Planning Commissioner Carson asked how they will market their bed and breakfast. Mrs. Peterson stated that they have also networked with the Kansas Bed and Breakfast Association and they gave them good information about how they can market themselves through their organization and the visit Kansas magazine. They plan to utilize the internet extensively for marketing. With regard to pricing they would look to offer a little more than what the average B & B guest would look for. Most times they are looking for a room in a private house. They are looking to offer something more in the $150 range where they would get a meal and have their own private space. Vacation rental by owner is something that they are interested in and they use it

#SP-2015-35 June 25, 2015
personally and feel that is a good market for the family travelers who might need 3 or 4 hotel rooms to accommodate their needs. They are could be in a studio-type apartment and have a kitchen, etc. Locally they would market through the Convention and Tourism Bureau, visitor information centers, and networking with other businesses in the area such as Chateau Avalon and the other bed and breakfast in the area for overflow opportunities and restaurants (we will send people your way if you send them our way.)

Planning Commissioner DeWitt stated that he is not clear as to who owns the property. Mr. Eric Morrison stated that he has owned the property since 2011. He is a veteran and teaches at the college at Ft. Leavenworth. He has five (5) children and one (1) of them is still with him. He had hoped to bring them all back but they have decided to stay away and the house is too big for him. In terms of walking there are sidewalks along the side of the road that run for miles. There are runners and walkers that go along 115th Street and Wyandotte. In terms of walking around and enjoying the view there are sidewalks that go for miles. He further stated that Reid and Marissa live on the adjacent property to the west by the pond and they have the catering service and they have family functions, weddings, etc. and he thinks that a bed and breakfast would be beneficial. Dr. DeWitt asked if the applicants are going to acquire the property from the owner. Mr. Peterson stated yes, they wanted to go through the special use permit process first and then negotiate the price. If the bed and breakfast was denied, then there was no point in purchasing the property. Dr. DeWitt stated that if this special use permit is approved for two (2) years, then their intent is to purchase the property during that time. Mr. Peterson stated yes.

Chairman Hurrelbrink asked if there are any other bed and breakfast facilities in Kansas City, Kansas. Mrs. Peterson stated not to her knowledge but there are 12 to 15 in the Kansas City area that have longevity and have been successful.

Mrs. Amory Lovin, 11461 Parkview Avenue, Kansas City, Kansas, appeared concerning this application. She stated that they live on the corner of 115th and Parkview. She has talked to Mrs. Peterson on the phone and has also talked to staff and they are not opposed to this application. They do not want to see the house sit empty. She stated that Mr. Morrison was a great neighbor and did a wonderful job on the house and made the house look beautiful. The staff addressed some of her concerns such as no additional lighting, signage (fearing a big, bright bed and breakfast sign) and they said that would not be an issue. If there are going to be up to ten (10) people staying there, and she understands it will not be every night or probably every weekend, she is concerned about the additional noise and traffic. She hopes that it is successful but does not create such a business atmosphere that her home life is impacted. The other concern was that if this special use permit is approved, is there any risk of any zoning changes down the road on some of the empty properties that surround the land. If it did become a problem, when they come back in two (2) years and they have purchased the $400,000 property, how will that be addressed? Planning Director Richardson stated that staff cannot speak to whether or not anyone else would apply for a zoning change, but they would go through the same process, there would be a sign posted, notices sent to people within 200” and public hearings and everyone would have a chance to comment. As far as the special use permit for two (2) years there are times that the City Planning Commission and Board of Commissioners have said no to renewals. The
owners need to take note of that and if they or their guests do not work well with the neighbors their investment could be in jeopardy.

Planning Director Richardson stated that he would like to add one stipulation under Planning. Before they expand into the detached garage space they would come back and modify their special use permit. This permit would be for the room in the house and the room above attached garage that the applicant described. Prior to them taking occupancy, all of the Building Inspection issues need to be resolved and they need to have a valid certificate of occupancy. He stated that their title company may require that at the time of closing before they would allow this deal to close.

Mr. Morrison stated that this company did a very thorough review in terms of research and planning for this business so he wants to give them accolades for doing this. When he purchased the home in 2011 it did not have a final inspection on the property and there were some code violations that he is addressing with the general contractor. All of that will be addressed prior to the applicants taking ownership of the property. He is working with the Building Inspection Department to make sure everything is up to code. Even though it was not done for him he is going to make sure that it is done for them if they go ahead with the offer.

On motion by Mr. Carson, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend APPROVAL of Special Use Permit Application #SP-2015-35:

<table>
<thead>
<tr>
<th>Name</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carson</td>
<td>Aye</td>
</tr>
<tr>
<td>Connelly</td>
<td>Aye</td>
</tr>
<tr>
<td>DeWitt</td>
<td>Aye</td>
</tr>
<tr>
<td>Ernst</td>
<td>Aye</td>
</tr>
<tr>
<td>Escobar</td>
<td>Aye</td>
</tr>
<tr>
<td>Gonzalez</td>
<td>Aye</td>
</tr>
<tr>
<td>Huey</td>
<td>Aye</td>
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<tr>
<td>Hurrelbrink</td>
<td>Chairman</td>
</tr>
<tr>
<td>Pauley</td>
<td>Aye</td>
</tr>
<tr>
<td>Schwartzman</td>
<td>Aye</td>
</tr>
<tr>
<td>Walker</td>
<td>Aye</td>
</tr>
</tbody>
</table>

Motion to recommend APPROVAL Passed: 10 to 0
Subject to:

Urban Planning and Land Use Comments:

1. How many guests will be staying at one time?

   **Applicant Response**: A maximum total of 10 guests will be able to be accommodated at one time. This count encompasses:
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2. Please provide images of the property (separate from the presentation or business plan)

*Documents are in file.*

**Comments and Stipulations:**

- No Signage
- No on-street parking
- Owners must maintain residence in the home
- Approval would be for two (2) years
- Before expanding into the room above the detached garage the special use permit would need to be modified for the bed and breakfast.

**Public Works Comments:**

No comments

**Building Inspection Comments:**

The following permits were issued for the completion of this house. Permit 02300-00022, 03300-00926 and 06300-00419. This project is completed through the rough in inspection. All permits were abandoned and the project was never completed. Records indicate the house is occupied without a final inspection. **Renew permits and request a final inspection.**

Permit 08300-01312 was obtained for detached garage with storage above. Inspections are not completed for this structure. **Renew permits and have request a final inspection.**

**Applicant Response:** Current homeowner was informed of outstanding permits and is currently working with a Wyandotte County licensed contractor to complete necessary items that would satisfy permit requirements.
BUSINESS PLAN

WESTWIND BED AND BREAKFAST

3000 N 11th Street

A large house, attached two-car garage and detached three-car garage are situated on landscaped grounds with a mixture of rural and suburban neighbors.

The B & B will initially be operated from the main house, with accommodations located on the lower level as well as above the attached garage. In the future, the unfinished space above the detached garage will also be completed as a third option for guests.

Occupancy, revenue, and room rate projections are validated by extensive research. The research includes professional survey data, information obtained through state and national industry associations, and the owner's private market analysis.

The owners' professional experience will be a strong asset, particularly in the areas of hospitality and network marketing. To strengthen the operations side of the business, consultants in financial services, business operations and innkeeping will be utilized.

DESCRIPTION OF BUSINESS

Nature of the Business

The property is intended for use as a Bed and Breakfast, to be called the Westwind.

Requests for a Special Use Permit are pending review and approval from the Unified Government of Wyandotte County, Kansas. Based on the provided calendar of deadlines and meetings, a final answer is expected on June 25, 2015. Upon approval, owners will proceed with securing the property, applying for appropriate licenses, and furnishing the property. Taking into account the expected tourism climate in order to take advantage of peak occupancy opportunities, the goal is to open the bed & breakfast for business in August 2015.

The property was selected based on a variety of factors, including:

- Ease of access from major travel outlets (highway accessibility and distance to airport)
- Location in a popular recreational destination with a proven track record of attracting travelers, tourists and special event visitors
- Character and charm of the property
• Excellent floor plan that requires very minimal renovation to open as a bed & breakfast (spacious guest rooms, private baths, and ample common areas)
• Adequate off-street parking
• Opportunity for expansion of business with unfinished space above detached garage
• Familiarity with the greater metropolitan area provides ability to assist guests with questions and market business to existing connections in tourism and hospitality market

Initially, the bed and breakfast will offer two suites. The inn will ultimately include the additional suite above the attached 3-car garage located on the property for a total of three available options.

Guests can enjoy ample common areas, including a sun-drenched dining room, sitting room, hearth room, and kitchen seating area. Furnishings and furniture will provide a comfortable and inviting atmosphere for both the family leisure traveler as well as the business guest with a mix of traditional style and modern simplicity. Features of the common areas include a fireplace, a varied selection of reading material and games, brochures and guidebooks for area attractions, and a refreshment area. Sitting areas will be comfortable and well lighted with flexible seating arrangements to encourage peaceful solitude or enlightening conversation, based on guest desires.

Guests will also be able to enjoy outdoor pursuits with a variety of options. The property features a deck with patio dining set and barbeque grill located off of the main kitchen toward the rear of the home. They may also choose to relax on the wrap-around porch which has entrances from both the main hall as well as the sitting room. Guests occupying the studio apartment on the lower level may enjoy their own private patio, complete with conversation set seating that is accessed directly from their private entrance.

Finally, the green space on the property features fruit trees, a vegetable garden, blackberry bushes, a swing set and the opportunity to enjoy a game of croquet or badminton with available equipment. We also plan to offer a fire pit where guests can reserve the opportunity to gaze at the stars or roast a marshmallow on crisp fall evenings. Most of these areas are obstructed from the view of surrounding neighbors.
and utmost care will be taken to insure that activities do not fall outside of the expected character of the surrounding residential neighborhood.

The one-bedroom suite is privately located above the attached garage. Guests will be allowed to utilize one garage space (2 based on availability) and the entrance to their accommodations can be accessed directly from their parking. They will also have access to the main house via the sun porch as well as direct access to the outdoor deck. 

Upstairs, the suite features a bedroom with queen bed and a sitting area with sofa sleeper to accommodate up to four guests. There is a private bath with shower, large walk-in closet, and zoned climate control. The suite will feature a desk and Google Fiber high-speed wireless internet that will appeal to business travelers as well as a compact personal refrigerator and flat-screen television with cable access.

The studio apartment space is located on the lower level of the main home. These guests will also be allowed to utilize one garage space (2 based on availability). The private entrance to their accommodations is available by exiting the garage to the deck and descending the outdoor stairs. They may also access the apartment through the main home during inclement weather. This space features a full kitchen stocked with all basic cooking and dining supplies and a dining area that seats six. The apartment features a queen-sized bed in a secluded niche as well as a sofa bed in the sitting area. Cozy chairs, a fireplace, flat-screen television with cable and high-speed wireless internet round out the living space. Two closets are available for guest belongings as well as a private bath with shower. A high quality roll-away air mattress will be available to accommodate an additional guest or child.

A full breakfast will be served and included in the room rate for the one-bedroom suite. Studio apartment guests will be furnished with enough supplies stocked in their kitchen for the first morning or they may elect to eat in the dining room during their stay for an additional fee. Upon special request, guests may also ask for a tray provided to their room during specified service times.
Cinnamon Roll French Toast, Fluffy Buttermilk Pancakes, Scrambled Eggs with Diced Ham, Pumpkin Waffles, etc.

Turn down service, evening refreshments, a baby crib, babysitting services, and special getaway packages will further entice the area's visitor demographic to choose the property for their overnight needs. The property will also endeavor to open its doors to small groups such as bible studies, craft nights, and book clubs to further expand the potential audience and also provide opportunities for additional facility rental income.

While ample street parking would currently be available on Parkview, guest parking both in the garage spaces and on the property drive should be sufficient to meet the demand.

Proposed rates and policies are outlined in the Industry Analysis Section.

**Physical Description of Buildings and Property**

Located at 3200 N 115th Street, the house and adjacent structures are on a prominent corner lot in an area that is currently a lovely mix of both rural and suburban homes. The Victorian style of the home's exterior provides charm and character to the property and it may be a surprise for some guests to learn that it was constructed in 2002. Present on the one acre parcel are a large three story house, an attached two-car garage with upper living quarters, and a detached three-car garage with upper living quarters that are currently unfinished.

The main house consists of four bedrooms, three and a half baths, a hearth room, dining room, sitting room, large family room, a sun porch, and two full kitchens. The interior is accented with hardwood floors throughout the main level, two fireplaces, unique architectural accent windows, wide staircases with decorative spindles, and beautiful views from the multitude of windows. Also on the property are the two garages — one with a finished one-bedroom living space and the other with an unfinished space for future expansion located above.
Landscaping is taking root on the property and includes a variety of fruit trees, established garden beds, berry and grape vines, as well as other ornamental trees and plants. A unique feature of this property is the rain barrel system concealed under the wrap-around porch to provide water for the landscaping. The limestone rock wall feature and driveway are in good condition as well as the exterior porch and deck surfaces.

**Location**

The property is located in the city of Kansas City, Kansas and just minutes away from some of the state’s most popular attractions. It has easy access to two of the area’s main interstate highways, Interstates 70 and 435, as well as close proximity to the Kansas City International Airport. It lies on the western side of the Kansas City metropolitan area and the “furthest” attractions like Kauffman Stadium and Worlds of Fun are only a half hour’s drive from the front door.

The local Wyandotte County area has a variety of attractions to appeal to diverse audiences and is also bringing in new businesses, including one of the main campuses for Cerner Corporation. Based on data provided by the Kansas City Convention and Visitors Bureau, the area receives an estimated 10 million visitors per year. In fact, when races are held on two weekends each year, the Kansas Speedway becomes the sixth-largest city in the state of Kansas.

Within ten minutes from the property, guests will find incredible shopping, a water park, premier sporting venues, a multitude of restaurants, fairs, festivals, and so much more. The property also has the benefit of being close to the action while still set in a serene and peaceful environment for local guests looking to escape for overnight or weekend get-aways. Add to this the personalized service and distinct accommodations, and you have an excellent foundation for a year-round business.
INDUSTRY ANALYSIS

Travel Trends

When considering the feasibility for a bed & breakfast property in Kansas City, the owners referenced several sources. Direct local data provided by the Kansas City Convention and Visitors Bureau indicates that there are an estimated 10 million visitors per year to Wyandotte County and those visitors have provided local lodging establishments an occupancy of 55.7% for the 2015 year-to-date and 63.6% over the last twelve months. The majority of these guests are traveling for leisure purposes and drive to the area.

A study conducted by Tourism Economics for the state of Kansas analyzed the most recent complete year of travel data (2013) and indicated steady growth over the last four years. In 2013, traveler spending grew 2.6% to $6.0 billion in the state. In comparison, visitor spending in Wyandotte and Johnson County increased at a higher rate than the state average at 3.4% and 3.1% respectively.

When considering implications of the Kansas City region as a whole, Missouri Division of Tourism research also indicates similar growth in the lodging industry segment with demand up 4.1% for March 2015 when compared with the same time period in the previous year. Further information for the four Missouri counties that are specifically a part of the Kansas City metropolitan area indicate similar data, with an increase in tourism related expenditures of 4%. Kansas City was also named America’s Most Affordable Getaway for the fourth consecutive year and the third best city overall by the readers of Travel + Leisure magazine in their November 2014 issue.

Wyandotte County and the Kansas City metropolitan area have numerous features that make them attractive to travelers. The property’s close proximity to the metropolitan area makes it an ideal getaway for both local consumers wanting a quick and easy escape from the stresses of everyday life and visitors who come to the area specifically for the attractions it provides.
Feature Valuations

In the brochure "How to Start and Operate a Bed and Breakfast" provided by the Kansas State University Small Business Development Center (revised in 2000) specifies suggested additional costs that guests are willing to incur for certain amenities and in-room features:

<table>
<thead>
<tr>
<th>Feature</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unusual interior or exterior ambiance</td>
<td>$5-$25</td>
</tr>
<tr>
<td>Private bath</td>
<td>$10</td>
</tr>
<tr>
<td>Private sitting room</td>
<td>$2</td>
</tr>
<tr>
<td>Nearby shopping and restaurants</td>
<td>$3</td>
</tr>
<tr>
<td>Patio</td>
<td>$1</td>
</tr>
<tr>
<td>In-room television</td>
<td>$2</td>
</tr>
<tr>
<td>King or queen bed</td>
<td>$1</td>
</tr>
<tr>
<td>Scenic view, balcony or private deck</td>
<td>$2</td>
</tr>
</tbody>
</table>

Other features like whirlpool tubs, wireless internet access, fireplaces, kitchen, etc. can also make an impact on the perceived value the guest considers when comparing accommodations. Based on the data collected while conducting research and an analysis of competitors (detailed later in this document) the Westwind Bed & Breakfast has developed the following proposed rate plan.

Proposed Rates

<table>
<thead>
<tr>
<th>Season</th>
<th>In Season (March and May-August)</th>
<th>Off Season (April and September-February)</th>
</tr>
</thead>
<tbody>
<tr>
<td>based on Double Occupancy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-bedroom Suite</td>
<td>$150</td>
<td>$125</td>
</tr>
<tr>
<td>Studio Apartment</td>
<td>$250</td>
<td>$200</td>
</tr>
</tbody>
</table>

*add $10 per person per night for additional guests

**Rate premiums will be calculated for high demand event weekends

Note: Rates were determined by reviewing local Bed & Breakfast and hotel lodging rates and calculating average valuations of special room features.
Proposed Policies

- Weekday discounts of 10% are offered to senior citizens and business travelers. All discounts MUST be requested at time of reservation and I.D. must be shown upon arrival. Discounts will not be offered on concert or major sporting event nights.
- Rates are on a per night basis and include breakfast when applicable, snacks and beverages.
- Payment required 1 week prior to visit and secured with a credit card at time of reservation.
- Major credit cards, cash, and checks are accepted.
- Our policy allows for cancellations up to one week prior to your intended arrival with full refund, less a $10.00 booking fee.
- Late notice cancellations or no-shows will be charged the full cost of the reservation.
- Check in time is arranged at the time of your reservation. If you are going to be more than 30 minutes late for your check in, please give us a call! Preferred check in will be between 4 and 6 p.m.
- Check out will be 11 a.m.
- Holiday and special event (Race, etc.) weekends require a 2 night minimum stay.
- Families traveling with children are welcome (and encouraged!)
- Breakfast is served every morning at 9:00 a.m., unless you are otherwise advised. Please notify the innkeeper of all food allergies and foods you do not eat when your confirmation is received. We are happy to accommodate dietary restrictions, but may do so only if we are informed of them before you arrive.
- We are a smoke and tobacco free facility. A violation of this policy or a suspicion of a violation (room smells strongly of smoke after you leave) will result in a $200 cleaning and purifying fee.
- Pets will not be allowed.
- By submitting a reservation request, you not only agree to accept and abide by the policies of Westwind Bed & Breakfast, but you are also creating a legally binding contract.
MARKETING STRATEGY

Positioning

The Westwind will be positioned as a bed and breakfast offering unique accommodations to leisure and business travelers with a focus on comfort and personal service. A stay at this bed & breakfast home offers an opportunity for visitors to receive a warm, personalized welcome to the community. As one of only two operating bed & breakfasts in the Wyandotte County area, the property will provide a welcome alternative for travelers who prefer bed & breakfast lodging.

In the hospitality business, small inns have the unique ability to deliver personal and personalized services. This advantage will be exploited by offering individualized guidance in personal, recreational, and entertainment needs. An environment will be created to enhance each guest’s experience by drawing on the innkeeper's experience as an expert in tourism in the Kansas City metropolitan area.

The building, grounds, and decor play such an important role in the consumer’s choice of a particular bed and breakfast. The inn must be inviting, comfortable, and conducive to relaxation. Those amenities most desired by guests, including private baths, spacious accommodations, fireplaces, and private outdoor spaces, will be provided.

Image

Image consists of many components and the Westwind Bed & Breakfast is being carefully planned to ensure that each of these elements has been considered and appropriately addressed.

Friendly and polite telephone and on-site presence: Calls will be answered promptly, and all inquiries handled in a pleasant and professional manner. For those times when calls cannot be answered, an answering service will be used. The messages will be checked frequently and calls returned as soon as possible.

Owners’ personality, hospitality, manner, and business actions: Recognizing that an owner-innkeeper on the premises and the warmth of that individual are two qualities
that B & B guests look for, this will be a high priority. Attitude, appearance, and professionalism are key goals.

Cleanliness of bedrooms, baths, and public areas and dining facility: The inn will be maintained in a manner befitting a first class lodging establishment.

**Amenities, features and unique services**

The Westwind will excel in its delivery of amenities, features, and special services. For clarification, an amenity refers to an extra service or product offered free to every guest that does not directly affect price. Sweet-smelling soaps, cozy linens, and assistance with dinner reservations will be available to all guests, while in-room kitchen, fireplace, and private patios are features for which an additional charge is directly extracted. A special delivery of fresh flowers or the opportunity to make s’mores at the outdoor fire are examples of a special service for which there will be an additional charge.

Each guest room and bath will contain the following amenities:

- Queen-sized bed
- Seating area with sofa sleeper and a cozy chair or desk
- Good reading light
- Large closet space
- Luggage racks
- Storage space in bath
- Refrigerators
- Flat-screen televisions
- Complimentary wireless high-speed internet
- Indoor parking
RENOVATION AND EXPANSION PLANS

The current property which will operate as the Westwind Bed & Breakfast will not require substantial renovations to satisfy regulations or standards set forth by the bed & breakfast industry. Eventually, the owners plan to update and remodel private bath facilities, update flooring where necessary, and finish the existing space located above the detached garage.

FINANCIAL DATA

Projected Renovation and Improvement Costs

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*Note: To aid in controlling costs, the owner will assume responsibility for certain tasks, such as interior painting and landscaping.*
Projected Start-up Costs

Following are start-up expenses not otherwise covered in the breakdown of renovation and improvement costs.

**Marketing**
(Promotions & Advertising) $1,500

**Furnishings**
(Includes furniture; window coverings; rugs) $6,105

**Bedding inventory**
(Includes mattress sets; pads; comforters; skirts; shams; pillows; blankets; sheet sets) $1,500

**Bath inventory**
(Includes assorted towels & washcloths; shower curtains; liners, rings; bath mats) $300

**Room/Housekeeping Inventory**
(Includes guest amenities (shampoo, etc.); cleaning & laundry products; operating items (light bulbs, etc.)) $1,000

**Total** $10,405
Minutes from Neighborhood Meeting:

Application Number: #SP-2015-35
Date and Location: Tuesday, May 19, 2015 at 3200 N 115th Street, Kansas City, KS 66109

Participants in attendance:
Brandon & Janell Peterson
Tim Siebold
Sara Blair
Dan & Ronda Dumovich
Brenda R. Willis

Summary of meeting details:

Meeting began at 6:00 p.m.

As participants arrived on site at the property, Mr. and Mrs. Peterson provided a tour of the home to familiarize those attending with their proposed vision for the layout and operations of the bed & breakfast. Tours included all areas including the main floor of house (proposed spaces for guest access), quarters located above attached garage (proposed one-bedroom suite accommodations), lower level of main house (proposed studio apartment accommodations), and the upper levels for those who were interested (proposed owners quarters).

At the conclusion of these tours, all parties gathered in the basement where Mr. and Mrs. Peterson provided information about themselves as well as the proposed business operations for the bed and breakfast. Applicants also asked the following questions during this discussion:

Mrs. Blair asked whether the Petersons would be living at the home while operating the bed & breakfast. Mrs. Peterson assured her that this would be the case and living here and raising their sons in the Piper schools was one of their draws to the area.

Mr. Dumovich and Mrs. Blair expressed their concerns about the impact of the bed & breakfast operation on property values of houses in the subdivision, as they are both in negotiations to build on lots near the property. The Petersons' real estate representative, Mr. Siebold addressed the matter stating that from his perspective and based on his experience in the industry, bed & breakfast owners are generally good neighbors who keep up their properties in an effort to attract and maintain their business image. The impact of the guests on the area would be minimal as the typical B&B guest goes out to explore the area after breakfast and returns after dinner. Alternately, the size and layout of the property may tend to attract a buyer who is looking for a dwelling where multiple family members or others could reside which may present other less desirable challenges. Mrs. Peterson also expressed her willingness to investigate this question with the planning department and Kansas Bed & Breakfast Association if they so desired.
Ms. Willis asked about details of the permit regarding review and length. Mrs. Peterson explained that the initial permit would be approved for a shorter period (approximately 2 years) after which time it would be reviewed. The intent is to make certain that the owners are doing the business as expected and it is not having an adverse impact on the surrounding neighborhood. If the conditions are met for approval again, the permit may be extended for a greater length of time.

Mr. Dumovich expressed his desire that the exterior of the property and its surrounding land be properly maintained and Mr. Peterson assured him that would be the case if they were to purchase the property.

Ms. Willis asked whether there would be any signage placed on the property to promote the business. Mrs. Peterson answered by saying that the permit itself has certain restrictions on what sort of signage can be utilized and those details are still under investigation with the Urban Planning Department. If any signage will be erected, it will likely be something small located under the mailbox, etc. with the primary purpose of helping guests locate the property.

Mrs. Blair inquired when the Petersons expected to be open for business and they responded that based on the zoning process duration and contract negotiations the earliest they would expect to be open for business would be August 1st, 2015.

Mr. Dumovich asked how bed & breakfast guests would be handled, specifically with a concern about those that may utilize the accommodations on race weekend. Mr. Peterson expressed that our reservation system will require the need for personal contact with guests and thus allow some initial screening of potential guests. They will be required to agree to the bed & breakfast policies and if any guest does not abide by those policies the owners will not hesitate to ask the guest to leave or involve appropriate authorities. He also expressed that while this will be a business venture, the property will primarily be their home and thus guests will be held to standards that he would expect from anyone staying in a family home – especially where children are present. A discussion about Mr. Peterson’s experience over years of his family’s car racing spectatorship has also indicated to him that not every attendee would be the type to cause disturbances.

During discussions about the property, Ms. Willis expressed that she had purchased this home as a foreclosure when the interior was still unfinished. She has completed the interior and lived in the home until approximately three years prior. The participants briefly discussed the history of the property and the surrounding lots based on her work and experience.

Mr. Dumovich inquired what renovations or updates would be undertaken at the property. Mr. Peterson responded that the short-term list included tile in the downstairs kitchen, general cleaning and shampooing of the carpets. From that point, it would be assessed whether any carpeting or bath fixtures would need to be replaced and then further into the future they would like to finish the space above the detached three-car garage as another place for guest accommodations. Initially, investments would be made on furnishings and other necessities for guest comfort.

Mr. Peterson and Mr. Dumovich also briefly discussed the stipulations for the subdivision contained in the guidelines of the homeowners’ association. When Mr. and Mrs. Peterson first viewed the property with the seller’s agent it was understood that there had not yet been any regulations drafted and thus he was interested in knowing more information.
After participant questions had been answered and a brief thanks and closing were completed the participants departed. Mrs. Peterson provided each of them with a fact sheet [attached] that provided a bit more information about the bed & breakfast and their contact information.

Meeting concluded at 7:10 p.m.

Additional Note:
Earlier in the day on May 19th, Mrs. Peterson was contacted by phone by Mrs. Amory Levin who is the homeowner at 11461 Parkview Avenue. Her home is located directly across 115th Street from the property. She also posed the following questions:

Amory - Will granting this Special Use Permit set a precedent for other businesses to come into our neighborhood?
Janell - It is my understanding that the Urban Planning Department takes every case under close consideration in order to protect the integrity of the neighborhood and that by approving this permit it will not necessarily mean that other, more commercial enterprises will move into the area. It is also our intent to maintain the bed & breakfast as a homestay atmosphere where the majority of the activity on the property will be the normal and expected activity of a family with two young children.

Amory - How will parking be handled?
Janell - Parking for guests will be available in the attached two-car garage and in the infrequent event that parking is needed for more than two vehicles they will be accommodated on the home’s drive. Street parking will not be allowed.

Amory - Will there be any commercial lighting installed or a lighted sign?
Janell - No, only the lighting you would expect from a residential home would be utilized.

Amory - Can you move out of the house and hire a manager to run the b&B?
Janell - It is our intention for this to be our home at least until our sons have completed school (approximately 18-20 years). I believe that the Special Use Permit is also subject to being discontinued if we no longer own the home.

Amory - Are you aware there is a school bus stop just next to the home?
Janell - I was not, but on a personal note I’m glad to hear it! We would certainly not expect enough traffic to impact any school bus operations.
that B & B guests look for, this will be a high priority. Attitude, appearance, and professionalism are key goals.

Cleanliness of bedrooms, baths, and public areas and dining facility: The inn will be maintained in a manner befitting a first class lodging establishment.

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To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Vacation Petition #A-2015-3 (150082)

GENERAL INFORMATION

Applicant:
Mario Leon

Status of Applicant:
Representative for Claudia Cadena and Manuel Flores Martell and Leon
1201 Hoel Parkway
Kansas City, KS 66102

Requested Action:
Vacation of an alley

Date of Application:
February 27, 2015

Purpose:
Vacation of the southeasterly half of a 15 foot wide alley adjacent to a portion of Lot 40 and Lots 41-45 of Rosedale Park

Property Location:
1020-1022 Merriam Lane

Existing Zoning: C-3 Commercial District
Existing Surrounding Zoning: North: R-1(B) Single Family Residential District
South: C-3 Commercial District
East: C-3 Commercial District
West: C-3 Commercial District

Existing Uses: North: Residential
South: Commercial
East: Commercial
West: Commercial

Neighborhood Characteristics: The neighborhood is commercial in nature and abuts a residential district

Total Tract Size: 0.41 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Business Park

Major Street Plan: Merriam Lane is a designated Class C Thoroughfare.

Advertisement: The Wyandotte Echo – March 19, 2015
Letters to Property Owner – March 18, 2015, April 9, 2015, May 19, 2015 and June 12, 2015

Public Hearings: May 11, 2015, June 8, 2015 and June 25, 2015

Public Opposition: No one appeared in opposition at the May 11, 2015 or June 8, 2015 City Planning Commission meetings.

PROPOSAL

Detailed Outline of Requested Action: Mario Leon of Martell and Leon is requesting to vacate 115 foot wide alley adjacent to a portion of Lot 40 and Lots 41-45 of Rosedale Park.


FACTORS TO BE CONSIDERED

1. Development of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity.

   This will not be an issue.
2. Streets are designed so as to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

Not Applicable.

3. Assurance that buildings, lots, blocks, parcels and streets are so arranged as to afford adequate light, open space or air, to facilitate fire protection, and to provide for long-term sustained real estate values.

This is not foreseen to be an issue.

4. Development patterns are designed with due regard to topography, so that the natural features of the land and vegetation shall be protected and enhanced.

Not Applicable.

5. Adequate sites are provided for schools, parks, playgrounds, and other community services so that residents of all neighborhoods shall have convenient access to such facilities.

This is not foreseen to be an issue.

6. Vacation will not create utility conflicts.

Staff has not been informed of any conflicts.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Alley Vacation Application #A-2015-3, subject to:

Urban Planning and Land Use Comments:

1. Retention of necessary utility easements.
2. Please provide and explanation and plans for proposed use if vacation is approved (why is this vacation being requested). (Information in file.)
3. All future increases to paved areas must meet design criteria for parking and loading in C-3 Commercial zones and stormwater criteria, as stated in the Code of Ordinances.
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) 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

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered and Key Issues and recommends APPROVAL of Vacation Petition #A-2015-3 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

May 11, 2015 City Planning Commission Minutes
June 8, 2015 City Planning Commission Minutes
Aerial Photo
Zoning Map
Exhibit
Applicant response

REVIEW OF INFORMATION AND SCHEDULE

<table>
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<tr>
<th>Action</th>
<th>Planning Commission</th>
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<td>Approval</td>
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STAFF CONTACT:    Jamie Ferris          jferris@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #A-2015-3 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:
I move the Unified Government Board of Commissioners DENY Petition #A-2015-3 as they are 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.

MAY 11, 2015 CITY PLANNING COMMISSION MINUTES:

150082 ALLEY VACATION APPLICATION #A-2015-3 – MANUEL FLORES-MARTINEZ– SYNOPSIS: Vacation of an alley at 1022 Merriam Lane

Recording Secretary Parker stated that the following items should be 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 11, 2015;
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 dated March 19, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Recording Secretary Parker stated that this item has been moved to the beginning of the Non-Consent agenda as the applicant requested that the city provide an interpreter for the meeting, which has been done. Ms. Cecelia Ysaac, interpreter, asked the audience (in Spanish) if the applicant was present. No one responded in the affirmative.

No one appeared either for or against this application.

Planning Director Richardson stated that the staff would recommend that this application be held over for one (1) month.

On motion by Ms. Walker, seconded by Ms. Pauley, the Planning Commission voted as follows to HOLD OVER Alley Vacation Application #A-2015-3 (to allow the applicant to be present):
JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

150082 ALLEY VACATION APPLICATION #A-2015-3 – MANUEL FLORES-MARTINEZ– SYNOPSIS: Vacation of an alley at 1022 Merriam Lane

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
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 dated March 19, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Mario Leon, Martel and Leon, representing the applicant, appeared in support of this application. Mr. Leon stated that they have been working with staff and as a result of the owners wanting to improve their property and through research and fact finding they found that there were a couple of issues that needed to be resolved. One would be resolved by vacating the alley and he leaves the rest up to the staff report as to where they are.

Planning Commissioner Escobar stated that there is a pole line in the alley and asked if the utility companies will have access to get to that line. Mr. Leon stated that the owners are not planning to do anything other than trying to improve the property south of an existing retaining wall. They will have access; the owners just want to improve the alleyway.

No one appeared in opposition to this application.
Planning Director Richardson stated that the staff recommends approval subject to retention of the proper easements and the comments in the staff report.

On motion by Mr. Escobar, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend APPROVAL of Alley Vacation Application #A-2015-3:

Carson Aye
Connelly Aye
DeWitt Aye
Ernst Aye
Escobar Aye
Gonzalez Aye
Huey Aye
Hurrelbrink Chairman
Pauley Aye
Schwartzman Aye
Walker Aye

Motion to recommend APPROVAL Passed: 10 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Retention of necessary utility easements.
2. Please provide and explanation and plans for proposed use if vacation is approved (why is this vacation being requested). (Information in file.)
3. All future increases to paved areas must meet design criteria for parking and loading in C-3 Commercial zones and stormwater criteria, as stated in the Code of Ordinances.

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) 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
EXHIBIT

The intent of this EXHIBIT is to provide a description for 1/2 of the alley to be vacated adjacent to Lots 40-45, Rosedale Place Amended Plat, in Kansas City, Wyandotte County, Kansas.

ORDERED BY: Mark Loomis, 3106 S 49th Drive, Kansas City, KS 64103
FOIL: 1822 Merriam Lane, Kansas City, KS 66103

DESCRIPTION: The Southeast corner 1/2 of a 15 feet wide alley adjacent to a portion of Lot 40, and all of Lots 41 through 45, Rosedale Place a subdivision of land in Kansas City, Wyandotte County, Kansas, being more particularly described as follows:

Beginning at the South corner of Lot 45; thence Northwesterly 7.50 feet along the Northwesterly extension of the Southwesterly line of Lot 45 to a point on the centerline of a 15 feet wide platted alley adjacent to said lots; thence Northwesterly 116.1 feet, more or less, along the said centerline to the South right-of-way line of Dodson Avenue, as now established; thence East 13.12 feet more or less along the South right-of-way line of Dodson Avenue to a Northwesterly corner of Lot 46; thence Southwesterly 16.84 feet along the Northwesterly lines of Lot 40 through 46, Rosedale Place Amended Plat, to the Point of Beginning. Containing 911.1 square feet or 0.209 acres more or less.

FEbruary 20, 2015

Richard D. Moore, Land Surveyor, Inc. (913) 334-3888
7540 Leavenworth Rd., Kansas City, KS 66109
LS-1394

Richard D. Moore — L.S. 1394
March 27, 2015 (Rev. 4-13-2015)

Claudia Cadena and Manuel Flores
1020-1022 Merriam lane
Kansas City, Kansas 66103

Reference: Vacation of Alley

In response to Staff Comments; Please provide and explanation and plans for proposed use if vacation is approved (why is this vacation being requested), we offer the following:

Based on discussions with Owners, we identified the existing use is a Auto Sales Inc. and detail and minor car repair service. The name of the service is “Chilitos Autosales Inc.” We are requesting an alley vacation for follows reasons:

1. The existing modified masonry screen wall, based on existing rear yard setbacks encroaches into setback by approximately 4 feet. Approval of the vacation will bring rear yard setback into compliance with current setback requirements.

2. The property currently exists as a potential dump site where vehicles and trash accumulate; with the approval the owners will be responsible to keep it clean which will minimize unintentional results a potential dumping ground.

3. The extent of the retaining wall will allow owners to use the property as currently used which is a auto sales car dealer and will allow for a parking lot expansion.

If you have any need of further information, do not hesitate to contact us.
Leo Martell 913-342-2460 Mario Leon 913-963-6119

Sincerely,
Leo M. Martell
Mario Leon
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition #PR-2015-11 (150116)

GENERAL INFORMATION

Applicant: Janene Ervin

Status of Applicant: KDC Construction, Inc.
4400 West 109th Street
Overland Park, KS 66211

Requested Action: Approve Preliminary and Final Plan Review

Date of Application: March 30, 2015

Purpose: To operate a trucking company with maintenance operations facility

Property Location: 7030 Kaw Drive

Existing Zoning: MP-2 Planned General Industrial District
Surrounding Zoning: North: R-1 Single Family District  
South: None (across Kaw Drive)  
East: MP-2 Planned General Industrial District  
West: RP-5 Planned Apartment District

Existing Uses: North: Single family homes (across Kansas Avenue)  
South: Union Pacific Railroad right-of-way (across Kaw Drive)  
East: Knight Transportation trucking company  
West: Vacant, undeveloped land

Total Tract Size: 6.85 acres

Master Plan Designation: The City-Wide Master Plan designates this property as a Business Park.

Major Street Plan: The City-Wide Master Plan classifies Kaw Drive as a Class A Thoroughfare

Advertisement: Property Owner Letters – April 14, 2015, May 6, 2015 and June 16, 2015  
Wyandotte Echo – Not Required

Public Hearings: June 8, 2015 and June 25, 2015

Public Opposition: No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Janene Ervin with KDC Construction, Inc. wants to build a 16,500 square foot trucking company and maintenance facility for Clarke Power Services, Inc. on 6.85 acres at 7030 Kaw Drive.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is comprised of industrial businesses and single family homes. There is an established apartment complex on the western side of the existing tree line. The property immediately to the west, 7000 Kansas Avenue has a special use permit for a dirt removal site.

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 proposed use will increase traffic and parking demand to the site, but not in ways that would adversely affect the road capacity of Kaw Drive or create parking problems.

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**
      
      Available with new extensions
   
   c. **Storm water control**
      
      To be designed to meet City Code
   
   d. **Police**
      
      Police service is provided by the West Patrol, District #221
   
   e. **Fire**
      
      Fire service is provided by Station #20
   
   f. **Transit**
      
      Kansas City ATA does not provide transit service near this property
   
   g. **Schools**
      
      Turner USD 202

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

   The proposed use is capable of meeting applicable ordinance and other requirements.

**PREVIOUS ACTIONS**

None
NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on April 15, 2015. According to the applicant, those that attended the meeting did not appear in opposition.

KEY ISSUES

Public Works comments

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Plan Review Application #PR-2015-11, subject to:

Urban Planning and Land Use Comments:

1. How many employees will be employed at this business?

   Applicant Response: We will have 25 employees.

2. Landscaping shall be irrigated.

   Applicant Response: The landscaping plan was revised to indicate landscaped areas are to be irrigated.

3. All 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 (including satellite dishes) shall be completely screened from public view on all sides by a parapet.

   Applicant Response: The landscaping plan was revised to show additional screening as necessary.

4. Sec. 27-469(c)(2) No equipment, materials or vehicles, other than operable motor passenger cars, may be kept, parked, stored or displayed no closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, set back not less than six feet from the street line and not less than three feet in height.

   Applicant Response: Only passenger vehicles will be parked within the front parking lot, therefore no additional screening is necessary.

5. Sec. 27-469(g) Six-foot high architectural screening in combination with a buffer area is to be provided along the side and rear property lines common to or across an alley from residentially zoned property.
Since the west property abuts property that is zoned RP-5 Planned Apartment District, there must be a privacy fence screening the yard. Secondly, because the property is industrially zoned, the fence may be 8’ in height. Lastly, due to the fact that development may not occur for many years and there is not a current tenant, the fence along the west property line shall have masonry columns every 32’ on center.

Please submit a fence elevation of the fence along the west property line and the entry gate into the facility.

*Applicant Response: A masonry and wood screen fence will be provided along the west property line. See the landscaping and civil plans for location and details.*

**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) Provide a right turn lane with adequate deceleration lane for vehicles entering the facility from the east.
   2) Relocate the existing median break farther east to provide a left-turn lane with adequate storage space for trucks entering the facility the west. The left-turn storage should be a minimum of two large truck length plus corresponding taper.
   3) Subject to KDOT’s review and approval in coordination with the UG.

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 Conclusion:**

The applicant has worked with staff to resolve planning and engineering issues. Staff believes that this development will be a great addition along Kaw Drive. Staff recommends approval of this petition subject to the following stipulations:

1) Landscaping shall be irrigated.
2) The fence along the west property line shall have masonry columns every 32’ on center.
3) Provide a right turn lane with adequate deceleration lane for vehicles entering the facility from the east.
4) Relocate the existing median break farther east to provide a left-turn lane with adequate storage space for trucks entering the facility from the west. The left-turn storage should be a minimum of two large truck length plus corresponding taper.
5) Subject to KDOT’s review and approval in coordination with the UG.
STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends APPROVAL of Petition #PR-2015-11 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan
Grading Plan
Floor Plan
Building Elevations
Photometric Plan

REVIEW OF INFORMATION AND SCHEDULE

<table>
<thead>
<tr>
<th>Action</th>
<th>Planning Commission</th>
<th>Board of Commissioners</th>
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<tr>
<td>Public Hearing</td>
<td>June 8, 2015</td>
<td>June 25, 2015</td>
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<tr>
<td>Preliminary and Approval</td>
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<tr>
<td>Final Plan</td>
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STAFF CONTACT: Byron Toy, AICP

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #PR-2015-11 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:

1. ___________________________________________________________; 
2. ___________________________________________________________; And 
3. ___________________________________________________________.

#PR-2015-11

June 25, 2015
I move the Unified Government Board of Commissioners DENY Petition #PR-2015-11, 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.

**JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:**

**150116 PLAN REVIEW APPLICATION #PR-2015-11 – JANENE ERVIN - SYNOPSIS:**

Preliminary and Final Plan Review for an office and maintenance shop in conjunction with a trucking company at 7030 Kaw Drive

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Ms. Janene Ervin, 6300 College Boulevard, Overland Park, Kansas, applicant, appeared in support of this application. She stated that she represents both the ownership of the new project and the general contractor company that would build the new project. They have been working with staff over the last 30 to 45 days and have received their comments and hopefully have addressed their comments. The project is new construction on an undeveloped site. It is a 16,000 square foot new building on 3.7 acres of paving. The tenant would be Clark Powers and they have a sub-tenant Kassin Trucking, which is a car hauling from the BNSF on Kansas Avenue. Clark Powers is a national provider of maintenance for trucking companies and their client would be Kassin Trucking. She stated that it is a maintenance facility for that trucking facility. The property is zoned properly and they are present for approval of their plans.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval, subject to the staff stipulations.

On motion by Dr. DeWitt, seconded by Mr. Schwartzman, the Planning Commission voted as follows to recommend APPROVAL of Plan Review Application #PR-2015-11:

<table>
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<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Carson</td>
<td>Aye</td>
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<tr>
<td>Connelly</td>
<td>Aye</td>
</tr>
</tbody>
</table>
DeWitt   Aye
Ernst    Aye
Escobar  Aye
Gonzalez Aye
Huey     Aye
Hurrelbrink   Chairman
Pauley   Aye
Schwartzman Aye
Walker   Aye

Motion to recommend APPROVAL Passed: 10 to 0
Subject to:

Urban Planning and Land Use Comments:

1. How many employees will be employed at this business?

   Applicant Response: We will have 25 employees.

2. Landscaping shall be irrigated.

   Applicant Response: The landscaping plan was revised to indicate landscaped areas are to be irrigated.

3. All 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 (including satellite dishes) shall be completely screened from public view on all sides by a parapet.

   Applicant Response: The landscaping plan was revised to show additional screening as necessary.

4. Sec. 27-469(c)(2) No equipment, materials or vehicles, other than operable motor passenger cars, may be kept, parked, stored or displayed no closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, set back not less than six feet from the street line and not less than three feet in height.

   Applicant Response: Only passenger vehicles will be parked within the front parking lot, therefore no additional screening is necessary.

5. Sec. 27-469(g) Six-foot high architectural screening in combination with a buffer area is to be provided along the side and rear property lines common to or across an alley from residentially zoned property.

   Since the west property abuts property that is zoned RP-5 Planned Apartment District, there must be a privacy fence screening the yard. Secondly, because the property is industrially zoned, the fence may be 8’ in height. Lastly, due to the fact that development may not occur for many
years and there is not a current tenant, the fence along the west property line shall have masonry columns every 32’ on center.

Please submit a fence elevation of the fence along the west property line and the entry gate into the facility.

*Applicant Response: A masonry and wood screen fence will be provided along the west property line. See the landscaping and civil plans for location and details.*

**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) Provide a right turn lane with adequate deceleration lane for vehicles entering the facility from the east.
   2) Relocate the existing median break farther east to provide a left-turn lane with adequate storage space for trucks entering the facility the west. The left-turn storage should be a minimum of two large truck length plus corresponding taper.
   3) Subject to KDOT’s review and approval in coordination with the UG.

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 Conclusion:**

The applicant has worked with staff to resolve planning and engineering issues. Staff believes that this development will be a great addition along Kaw Drive. Staff recommends approval of this petition subject to the following stipulations:
   1) Landscaping shall be irrigated.
   2) The fence along the west property line shall have masonry columns every 32’ on center.
   3) Provide a right turn lane with adequate deceleration lane for vehicles entering the facility from the east.
   4) Relocate the existing median break farther east to provide a left-turn lane with adequate storage space for trucks entering the facility from the west. The left-turn storage should be a minimum of two large truck length plus corresponding taper.
   5) Subject to KDOT’s review and approval in coordination with the UG.
27 April 2015

Mr. Byron Toy, AICP
Unified Government WYCO/KCKS
Urban Planning and Land Use
701 N. 7th Street, Room 423
Kansas City, KS 66101
913.573-5750

Re: New Clarke Power Services Facility
7030 Kaw Drive, Kansas City, KS

Petition #PR-2015-11

Mr. Toy,

The following is a brief description of the construction plan revisions for the new Clarke Power Service (CPS) Facility Kansas City, KS. These revisions are based on the Unified Government’s comments as follows:

STAFF COMMENTS AND SUGGESTIONS

Urban Planning and Land Use Comments:

1. How many employees will be employed at this business?
   25

2. Landscaping shall be irrigated.

3. All 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 (including satellite dishes) shall be completely screened from public view on all sides by a parapet.

   The landscaping plan was revised to show additional screening as necessary.

4. Sec. 27-480(c)(2) No equipment, materials or vehicles, other than operable motor passenger cars, may be kept, parked, stored or displayed no closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, setback not less than six feet from the street line and not less than three feet in height.

   Only passenger vehicles will be parked within the front parking lot, therefore no additional screening is necessary.

5. Sec. 27-480(g) Six-foot high architectural screening in combination with a buffer area is to be provided along the side and rear property lines common to or across an alley from residentially zoned property.

Since the west property abuts property that is zoned RP-5 Planned Apartment District, there must be a privacy fence screening the yard. Secondly, because the property is industrially zoned, the fence may be 8’ in height. Lastly, due to the fact that development may not occur for many years and there is not a current tenant, the fence along the west property line shall have masonry columns every 32’ on center.
Clarke Power Services Facility
Petition #FR-2015-11

Please submit a fence elevation of fence along the west property line and the entry gate into the facility.
A masonry and wood screen fence will be provided along the west property line. See the landscaping and civil plans for location and details.

Public Works Comments:
A) Items that require plan revision or additional documentation before engineering can recommend approval:
1) Sanitary Sewer Public Main extension shall be required.
   OK
2) Provide KDHE Public Main extension application including calculations.
   Application and calculations attached.
3) M2 – M3 run of piping is too flat. Increase slope and provide velocity calculations.
   Slope increased to 1%. Minimum. Full-flow velocities shown for each pipe section.
4) Crossing at Kansas Avenue shall be 90 degrees.
   Crossing revised to be at 90 degrees.
5) Note to consider houses along Kansas Avenue in regards to depth for future laterals to be run.
   Depths increased to potentially accommodate adjacent houses.
6) Provide calculations proving downstream 8 inch piping has capacity for future development.
   Downstream piping has sufficient capacity – see attached calculations.
7) Force main shall tie into manhole.
   Force main connection revised to show connection to manhole.
8) Explain purpose for grease interceptor shown on Plans.
   Floor drains in shop area and stream cleaning area discharge to interceptor.
   Memorandum is attached.
10) Provide Storm Drainage Memorandum/Report.
    Storm Drainage Report attached.
11) Provide Traffic Memorandum explaining flows, volumes, times, etc. including travel direction, turning, etc. in and out onto Kaw Drive.
    Information to be provided by owner.

Stormwater Quality Review

1) Provide a stormwater quality report and construction drawings that detail the BMPs used and necessary computation worksheets from the August 2000 edition of the MARC BMP manual.
   Storm wafer quality analysis is attached. Additional construction information add to plans as necessary.

General Engineering Review

1) Provide SUE quality level information for all utilities on site on the cover sheet.
   SUE quality information is noted on cover sheet.
2) Provide benchmark, horizontal and vertical datum information on the cover sheet.
   Benchmark and datum information is noted on cover sheet.

Land Disturbance and Erosion Control Review No. 1

1) Reference APWA section 2150 in the general erosion control notes to cover good housekeeping and spill containment procedures.
Clarke Power Services Facility
Petition #PR-2015-11

APIWA section reference added as indicated.

2) For an off property soil stockpile area provide proper erosion control and a filed temporary construction easement.
   Off-site stockpile area is located on property owned by the Clarke Power site owner – no easement is necessary.

3) Provide a location for the concrete washout pit and construction details.
   Concrete washout pit location and details added.

4) Final stabilization sheet shows all areas to receive sod or seed.
   Final stabilization revised as indicated.

5) Modify note 1.1.1 in the final stabilization sequence calling for the retention of access and sediment controls for areas where seed has not established 70% cover.
   Note revised as indicated.

Public Sanitary Sewer Main Extension Review No. 1

1) The sanitary sewer main extension in the ROW is considered public and will require a separate set of plans with a signature title block for the county engineer.
   Separate cover sheet added as indicated.

2) Include the completed KDHE main extension applications with the necessary flow calculations that meet the requirements of the UG Minimum Design Standards for Sanitary Sewers.
   Application and calculations are attached.

3) Provide SUE Quality Levels for all utilities on site and within construction limits.
   SUE Quality information indicated on cover sheet.

4) Submit a sanitary drainage study that meets the requirements of the UG Minimum Design Standards for Sanitary Sewers. This study should cover the current development and other future development areas further upstream that gravity drainage will allow and show that this flow can be received properly by the sewer line being connected to.
   Sanitary sewer design memorandum attached.

5) Provide full flow velocities on the profile sheets.
   Full flow velocities added as indicated.

6) Provide benchmark, horizontal and vertical datum information on the cover sheet. Also provide northings and eastings of the manhole locations on the plan sheets.
   Benchmark and datum information added to cover sheet. Manhole coordinates added as indicated.

7) Provide the following note on the cover sheet, “All work in public easements and right of way and all erosion control work must comply with the latest edition of the Technical Provisions & Standard Drawings for Roads and sewers of the Unified Government of Wyandotte County and Kansas City, Kansas. If any general notes conflict with the standards of the Unified Government of Wyandotte County and Kansas City, Kansas (the UG), the UG’s standards shall override.”
   Note added.

8) Pipe with less than 6 feet of cover should be DIP, please revise.
   Pipe depths revised to be a minimum of 6 feet deep.

9) The force main should only connect to a sanitary manhole. Three Manholes within connection of the proposed force main connection shall need to be specially lined. Provide details of the lining material on the plan and profile sheet.
   Force main connection revised to be located at a manhole as indicated. Manhole lining information added.

10) Provide specific erosion control sheets and a written construction sequence for the sanitary sewer construction.
    Erosion control plan and associated notes, etc. added.

11) Provide the UG node identifier for the manhole the sewer extension is tying into. Provide a plan detail view of this manhole and lengths between manhole wall penetrations.
    UG node identifier added as indicated. Plan view of connection added as indicated.
Clarke Power Services Facility
Petition #PR-2015-11

12) Show utility crossings on the profile sheet and give approximate elevations.
   Utility crossing added as indicated.
13) Provide filed easements for any offsite sewers that will be required.
   All work shall be located within the public right-of-way – no easements are required.
14) The alignment of the sanitary sewer main appears to run along the middle of a drainage ditch,
    please revise.
   The sanitary sewer runs parallel to the roadway ditching, but is not along the flowline – the
   flowline is further to the south.
15) The drop at manhole M4 should be a minimum of 0.4 feet, please revise.
    Drop revised as indicated.
16) The pipe from M2 to M3 exceeds the minimum slope of 1%, please revise.
    Slopes revised to me 1% minimum.

Stormwater Drainage Review No. 1

1) Provide a scaled storm drainage report that contains the requirements of pages 2-4 of the UG Storm
   Drainage Criteria. Provide a map in the report that extends beyond the property extents at least 200ft.
   and shows any offsite drainage areas that flow through the site.
   Storm Drainage Report is attached.
2) Pipe table sheet should provide a 5 year flow along with the 100 year. Also provide the required
   conduit flow parameters as listed on page 4 of the UG storm drainage criteria such as: flow value for
   minimum velocity check, actual minimum velocity, energy and hydraulic grade line elevation and whether
   inlet or outlet control governs the head water elevation.
   Additional calculation information added as indicated.
3) Provide 100 year EGL and HGL lines on the profile sheets.
   Added as indicated.
4) Use a C value of 0.66 for the Light Industrial zoning for hydraulics calculations.
   Calculations revised to utilize a C of 0.66 as indicated.
5) Detention basin 1 should not outlet to basin 2, please revise.
   As discussed with Engineer, the two basins are combined by an oversized pipe to provide the
   necessary storage volume. No outflow controls are provided at the upper basin – all controls are
   at the lower basin.
6) Office plates are not allowed in release design, provide details of an allowable release. Also provide
   stage storage curves for both detention basins.
   As discussed with the Engineer, the office will be provided at a concrete outlet structure. This
   will provide a tamper-proof design, which the Engineer indicated was the basis for this comment.
   The associated construction detail was added to plans.

If you have any questions, please feel free to give us a call.

Sincerely

[Signature]

Aaron M. Barnhart, PE, Vice President
amb@cwm-inc.com
MINUTES OF NEIGHBORHOOD MEETING HELD ON APRIL 15, 2015, AT 5:30 P.M.
AT 6740 KAW DRIVE, KANSAS CITY, KS 66111

Application Number: (PR–2015-11) Clarke Power Services, 7030 Kaw Drive, Kansas City, KS

Date and Location: April 15, 2015, at 5:30 p.m. at 6740 Kaw Drive, Kansas City, KS

Meeting called to order at: 5:30 p.m.

Names of people in attendance:

Owners (P&E KC, LLC): Frank S. Perry, Member
Janene E. Ervin, Member

Legal Counsel: Sean D. Ervin
Douglas Frethouff Gentile & Rhodes
5250 W. 116th Place, Suite 400
Leawood, KS 66211

Neighbors: Clifford E. Dale
4101 Powell Avenue, LLC
5831 State Avenue
Kansas City, KS 66102

Introduction:

Owners/Developers introduced themselves to Mr. Dale, the only neighbor in attendance at the Neighborhood Meeting, and presented renderings and site plans depicting the project and related improvements.

Questions/Responses:

Mr. Dale asked who the tenant would be in the project and Owners responded that it would be Clarke Services, Inc. Mr. Dale did not have any additional questions and indicated that he was in favor of the project and had no objections.

Meeting adjourned at: 6:30 p.m.

Minutes taken by: Sean D. Ervin
To: Unified Government Board of Commissioners
From: City Staff
Date: June 25, 2015
Re: Change of Zone Petition #3088 and Plan Review Petition #PR-2015-12 (150130)

GENERAL INFORMATION

Applicant:
Ben Williams

Status of Applicant:
Representative
Mark Campbell with Carter Engineering Consultants, Inc.
3651 Mars Hill Road, Suite 2000
Watkinsville, GA 30677

Requested Actions:
Change of Zone from
CP-1 Planned Limited Business District
to CP-2 Planned General Business District

Plan Review for a fast food drive-thru restaurant

Date of Application:
Change of Zone: March 27, 2015
Plan Review: March 27, 2015

Purpose: To build a Zaxby's restaurant
Property Location: 2035 North 109th Street

Existing Zoning: CP-1 Planned Limited Business District

Surrounding Zoning:  
North: CP-2 Planned General Business District  
South: CP-1 Planned Limited Business District  
East: CP-2 Planned General Business District  
West: CP-1 Planned Limited Business District

Existing Uses: North: Walmart  
South: A bank (Security National Bank)  
East: A gas station (Sam’s Club)  
West: A hotel (Candlewood Suites)

Total Tract Size: 1.28 acres

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

Major Street Plan: The Prairie Delaware Piper Master Plan classifies Parallel Parkway as a Major Arterial

Advertisement: The Wyandotte Echo – Change of Zone – April 16, 2015  
Letters to Property Owners – Change of Zone – April 14, 2015, May 4, 2015 and June 12, 2015; Plan Review – April 14, 2015, May 4, 2015 and June 12, 2015

Public Hearings: June 8, 2015 and June 25, 2015

Public Opposition: No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ben Williams with JILI, LLC wants to build a 90-seat, 3,847 square foot Zaxby's drive-thru restaurant at 2035 North 109th Street.


FACTORs TO BE CONSIDERED

1. Neighborhood character.

The property is encompassed by commercial development. This parcel is at the western edge of Plaza at the Speedway.
2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The zoning and uses of properties nearby are set out above. The proposed use is compatible with them.

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

The removal of the restrictions will not detrimentally affect nearby property.

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

The property has been vacant since 2006.

5. The extent to which 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 nearby property.

The proposed use, a restaurant is not reasonably necessary for the convenience and welfare of the public and will not substantially injure the appropriate use, visual quality or marketability of nearby property.

6. 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 proposed use will increase traffic between this parcel and Security National Bank to the south in ways that may affect road capacity and safety along Village West Parkway and the entrance into the property.

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

The proposed use conforms to the Master Plan.

8. The extent to which the proposed use could cause environmental harm or enhance the environment.

This is not an issue.

9. 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**
   
   Available

c. **Storm water control**
   
   To be designed to meet City Code

d. **Police**
   
   Police service is provided by West Patrol, District #223

e. **Fire**
   
   Fire service is provided by Station #6

f. **Transit**
   
   Kansas City ATA provides transit service near this property, Route #116

g. **Schools**
   
   Piper USD 203

h. **Streets**
   
   See item #6 above

10. **The economic impact of the proposed use on the community.**
   
   The proposed use will have a small economic impact on the community.

11. **The capability of the proposed use to meet applicable ordinance requirements.**
   
   With revisions, the proposed use is capable of meeting applicable ordinance requirements.

12. **The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.**
   
   The relative gain to the public health, safety, and welfare is minimal as compared to the hardship imposed on the landowners. If this application is denied, the owner can still construct a restaurant, but with no drive-thru window.

---

**PREVIOUS ACTIONS**

None

#3088 and #PR-2015-12               June 25, 2015
NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on April 22, 2015. According to the applicant, no one who attended the meeting appeared in opposition.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Change of Zone Application #3088 and Plan Review Application #PR-2015-12, subject to:

Urban Planning and Land Use Comments:

General

1. Trucks, trailers, cars or temporary storage boxes of any type are not allowed to be parked on the property overnight.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.

2. Sec. 27-576(i) Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure; all means available should be taken to minimize the impact on adjacent residential structures.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.

Building Architecture

1. Sec. 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.

   The north, west, and south facades as one turns the corner around the drive-thru is void of any detail. There are no windows (glass or faux) or architectural detail that is similar to the front along Village West Parkway.

   Glass or faux windows is a simple yet inexpensive architectural feature that can tie the rear of the building to the front.
2. Sec. 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 glass. The director may approve other high-quality materials.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
   a. Split shakes, rough sawn, or board and batten wood;
   b. Vinyl siding;
   c. Smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels;
   d. Field painted or prefinished corrugated metal siding;
   e. Standard single-tee or double-tee concrete systems; or
   f. EIFS at the ground level or comprising more than 15 percent of any façade.

Staff has attached photographs of other Zaxby’s stores across the country, which illustrates some of the features that are described in our Commercial Design Guidelines. For example, EIFS is an accent material used around the roof line and cornices. The type of stone cannot be determined by the photographs, but that is the primary material used on each façade.

Please look the commercial buildings adjacent to this property in Plaza at the Speedway. They all meet the Commercial Design Guidelines and had more additional standards based on the Plaza at the Speedway Design Criteria, which included using building tile and roof tile in the design.

Please revise the buildings elevations to incorporate the materials listed above and reduce the amount of EIFS on each façade to 15 percent.

4. Sec. 27-576(e)(4) All building facades shall be at least 50 percent masonry. Cementious siding may be used to meet 50 percent of the total masonry requirement.

5. Sec. 27-576(g)(3) Slopped 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.

Corrugated metal is not permitted. Please revise the building elevations and all other sheets referencing that material and change it to standing seam. No new commercial development has been permitted to use corrugated metal as a roofing material.

6. Sec. 27-576(h)(1) For new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior.
Landscaping and Screening

1. Shade trees shall be at least 2” caliper when planted. Evergreens shall be between 6’ – 8’ in height when planted. Shrubs shall be at least 5 gallons when planted.

   Applicant Response: See updated note and plant chart for revision.

2. All landscaping must be irrigated.

   Applicant Response: See irrigation plan on sheet 16 and note 7 on sheet 15.

3. All utility connections must be screened with landscaping or an architecturally designed screen wall. Building and ground mounted mechanical units, utility meters, transformer, switching and control boxes and other service equipment must be properly painted to match the building and/or screened from view.

   Applicant Response: See note 8 on sheet 15.

4. Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

   Applicant Response: See note 9 on sheet 15 and added dumpster callout on sheet.

5. Since this building has high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers should be designed so that they are reasonably screened and all downspouts shall be internalized.

6. All roof mounted units must be screened by the parapet.

Signage

1. Staff stipulates that the only detached sign on the property is a monument sign.

   Applicant Response: See note added to sheet 4 in lower left side of sheet. Also note the removal of all signs except the proposed Zaxby’s sign.

2. Window graphics must be scenic pictures only. No text, special ads, or painted messages are allowed. All graphics must be at least six (6) inches back from the glass in a window framing.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.
3. Sign reviews are done under a separate sign permit application.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.

4. Banners are not allowed to be hung from the building or on the structure of the outdoor eating area. Attention attracting devices such as streamers, pennants, inflatables, and wind catchers are prohibited. The applicant is still eligible to use these devices for special events on a temporary basis by applying for a temporary banner sign permit.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.

Lighting

1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.

   Applicant Response: See noted added to sheet 17.

2. Exterior parking lot lighting shall have 90 degree cutoff fixtures.

   Applicant Response: See note added to sheet 17.

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) 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

Staff Conclusion:

The applicant has worked with staff to resolve architectural and engineering issues. Staff recommends approval of this petition subject to one additional stipulation:
   (1) Downspouts shall be internalized.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.
STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Change of Zone Petition #3088 and Plan Review Petition #PR-2015-12 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan
Utility Plan
Landscape Plan
Photometric Plan
Building Elevations
Photograph examples of Zaxby’s restaurants

REVIEW OF INFORMATION AND SCHEDULE

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STAFF CONTACT: Byron Toy, AICP

MOTIONS

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #3088 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:

1. 

2. ____________________________________________________________________; And

3. ____________________________________________________________________.
OR

I move the Unified Government Board of Commissioners **DENY** Petition #3088, 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.

**Plan Review Petition**

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2015-12, 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:

1. ____________________________;
2. __________________________________; And
3. ____________________________.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #PR-2015-12 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.

**JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:**

**150130 CHANGE OF ZONE APPLICATION #3088 — BEN WILLIAMS/JULI, LLC — SYNOPSIS:** Change of Zone from CP-1 Planned Limited Business District to CP-2 Planned General Business District for a restaurant with drive-through at 2035 North 109th Street.

**150130 PLAN REVIEW APPLICATION #PR-2015-12 — BEN WILLIAMS/JULI, LLC — SYNOPSIS:** Preliminary and Final Plan Review for a restaurant with drive-through at 2035 North 109th Street

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
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 dated April 16, 2015;

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Brian Sturm, 305 Lawrence Avenue, Lawrence, Kansas 66049, representing the applicant, appeared in support of this application. He stated that they do not have a lot to add beyond what is in the staff report. They want to change the zoning from CP-1 to CP-2 to allow a restaurant with a drive-through. He stated that they do not have any qualms with the stipulations the staff has put on the approval.

Chairman Hurrelbrink asked what type of restaurant is Zaxby's. Mr. Sturm stated that it is a fast-food restaurant that specializes in chicken.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

On motion by Dr. DeWitt, seconded by Mr. Escobar, the Planning Commission voted as follows to recommend APPROVAL of Change of Zone Application #3088:

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Motion to recommend APPROVAL Passed: 10 to 0

Subject to:

Urban Planning and Land Use Comments:

General

1. Trucks, trailers, cars or temporary storage boxes of any type are not allowed to be parked on the property overnight.

   Applicant Response: See note added to sheet 4 in lower left side of sheet.

2. Sec. 27-576(i) Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front

#3088 and #PR-2015-12  June 25, 2015  11
of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure; all means available should be taken to minimize the impact on adjacent residential structures.

Applicant Response: See note added to sheet 4 in lower left side of sheet.

Building Architecture

1. Sec. 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.

The north, west, and south facades as one turns the corner around the drive-thru is void of any detail. There are no windows (glass or faux) or architectural detail that is similar to the front along Village West Parkway.

Glass or faux windows is a simple yet inexpensive architectural feature that can tie the rear of the building to the front.

2. Sec. 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 glass. The director may approve other high-quality materials.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
   a. Split shakes, rough sawn, or board and batten wood;
   b. Vinyl siding;
   c. Smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels;
   d. Field painted or prefinished corrugated metal siding;
   e. Standard single-tee or double-tee concrete systems; or
   f. EIFS at the ground level or comprising more than 15 percent of any façade.

Staff has attached photographs of other Zaxby's stores across the country, which illustrates some of the features that are described in our Commercial Design Guidelines. For example, EIFS is an accent material used around the roof line and cornices. The type of stone cannot be determined by the photographs, but that is the primary material used on each façade.

Please look the commercial buildings adjacent to this property in Plaza at the Speedway. They all meet the Commercial Design Guidelines and had more additional standards based on the Plaza at the Speedway Design Criteria, which included using building tile and roof tile in the design.

Please revise the buildings elevations to incorporate the materials listed above and reduce the amount of EIFS on each façade to 15 percent.
4. Sec. 27-576(e)(4) All building facades shall be at least 50 percent masonry. Cementious siding may be used to meet 50 percent of the total masonry requirement.

5. Sec. 27-576(g)(3) Slopped 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.

Corrugated metal is not permitted. Please revise the building elevations and all other sheets referencing that material and change it to standing seam. No new commercial development has been permitted to use corrugated metal as a roofing material.

6. Sec. 27-576(h)(1) For new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior.

**Landscaping and Screening**

1. Shade trees shall be at least 2" caliper when planted. Evergreens shall be between 6' – 8' in height when planted. Shrubs shall be at least 5 gallons when planted.

   *Applicant Response: See updated note and plant chart for revision.*

2. All landscaping must be irrigated.

   *Applicant Response: See irrigation plan on sheet 16 and note 7 on sheet 15.*

3. All utility connections must be screened with landscaping or an architecturally designed screen wall. Building and ground mounted mechanical units, utility meters, transformer, switching and control boxes and other service equipment must be properly painted to match the building and/or screened from view.

   *Applicant Response: See note 8 on sheet 15.*

4. Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

   *Applicant Response: See note 9 on sheet 15 and added dumpster callout on sheet.*
5. Since this building has high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers should be designed so that they are reasonably screened and all downspouts shall be internalized. 
6. All roof mounted units must be screened by the parapet.

**Signage**

1. Staff stipulates that the only detached sign on the property is a monument sign.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet. Also note the removal of all signs except the proposed Zaxby's sign.*

2. Window graphics must be scenic pictures only. No text, special ads, or painted messages are allowed. All graphics must be at least six (6) inches back from the glass in a window framing.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet.*

3. Sign reviews are done under a separate sign permit application.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet.*

4. Banners are not allowed to be hung from the building or on the structure of the outdoor eating area. Attention attracting devices such as streamers, pennants, inflatables, and wind catchers are prohibited. The applicant is still eligible to use these devices for special events on a temporary basis by applying for a temporary banner sign permit.

   *Applicant Response: See note added to sheet 4 in lower left side of sheet.*

**Lighting**

1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.

   *Applicant Response: See noted added to sheet 17.*

2. Exterior parking lot lighting shall have 90 degree cutoff fixtures.

   *Applicant Response: See note added to sheet 17.*

**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) 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

Staff Conclusion:

The applicant has worked with staff to resolve architectural and engineering issues. Staff recommends approval of this petition subject to one additional stipulation:

   1) Downspouts shall be internalized.

On motion by Mr. Escobar, seconded by Dr. DeWitt, the Planning Commission voted as follows to recommend APPROVAL of Plan Review Application #PR-2015-12:

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Motion to recommend APPROVAL Passed: 10 to 0
Subject to the above stipulations
Dear Planning Commission,

The following Comments have been addressed and a note added to clarify the revision.

**General:**

1. Trucks, trailers, cars or temporary storage boxes of any type are not allowed to be parked on the property overnight. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**
2. Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure; all means available should be taken to minimize the impact on adjacent residential structures. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**

**Landscaping and Screening:**

1. Shade trees shall be at least 2" caliper when planted. Evergreens shall be between 6’ – 8’ in height when planted. Shrubs shall be at least 5 gallons when planted. **SEE UPDATED NOTE AND PLANT CHART FOR REVISION.**
2. All landscaping must be irrigated. **SEE IRRIGATION PLAN ON SHEET 16 AND NOTE 7 ON SHEET 16.**
3. All utility connections must be screened with landscaping or an architecturally designed screen wall. Building and ground mounted mechanical units, utility meters, transformer, switching and control boxes and other service equipment must be properly painted to match the building and/or screened from **SEE NOTE 8 ON SHEET 16.**
4. Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times. **SEE NOTE 9 ON SHEET 16 AND ADDED DUMPSTER CALLOUT ON SHEET.**

**Signage:**

1. Staff stipulates that the only detached sign on the property is a monument sign. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET. ALSO NOTE THE REMOVAL OF ALL SIGNS EXCEPT THE PROPOSED ZAXBY'S SIGN.**
2. Window graphics must be scenic pictures only. No text, special ads, or painted messages are allowed. All graphics must be at least six (6) inches back from the glass in a window framing. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**
3. Sign reviews are done under a separate sign permit application. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**
4. Banners are not allowed to be hung from the building or on the structure of the outdoor eating area. Attention attracting devices such as streamers, pennants, inflatables, and wind catchers are prohibited. The applicant is still eligible to use these devices for special events on a temporary basis by applying for a temporary banner sign permit. **SEE NOTE ADDED TO SHEET 4 IN LOWER LEFT SIDE OF SHEET.**

**Lighting:**

1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed. **SEE NOTE ADDED TO SHEET 17.**
2. Exterior parking lot lighting shall have 90 degree cutoff fixtures. **SEE NOTE ADDED TO SHEET 17.**
ZAXBY’S RESTAURANT

CHANGE OF ZONE PETITION #3088
PLAN REVIEW PETITION #PR-2015-12

NEIGHBORHOOD MEETING

DATE: APRIL 22, 2015
LOCATION: SECURITY BANK OF KANSAS CITY
10840 PARALLEL PARKWAY
KANSAS CITY, KS 66106

Meeting called to order at 4:00 pm.

The following people were in attendance:

Russell Sage, V.P. Operation, Security Bank of Kansas City
Angie Kamienski, AVP/Bank Manager, First Legend Bank & Trust
Brent Latham, Senior V. P., First Legend Bank & Trust

C.L. Maurer presented the construction documents that had been updated 4.21.15 to the attendees. I discussed the location of the property to the adjacent property owners. Discussed the access to the proposed Zaxby’s off Village West Parkway at an existing curb cut used by Security Bank of Kansas City and the existing curb cut off North 109th Street. I then reviewed that the existing island off of Village West Parkway would be cut down in size for the traffic flow and the existing light would not be removed.

Brent questioned the look of the building and reviewed the submitted elevations of the building. They liked the look of the building and did not see anything that would be a problem with the elevations.

The attendee’s reviewed the Staff comments that were provided to me on 4.20.15. They did not have any problems with the review by the city at this time.

Brent stated that he plans on attending the May 11, 2015 City Planning Commission Meeting.

I asked if there were any more questions about the proposed Zaxby’s restaurant.

I thanked Russell for providing the conference room for the meeting.

Brent & Angie thanked me for have the meeting and taking the time to review the upcoming project.

The meeting was adjourned at: 4:35 pm

Minutes taken by: C.L. Maurer, RLA, ASLA

#3088 and #PR-2015-12

June 25, 2015
Figure 1. Photograph of Zaxby's restaurant in Richmond Hill, GA (provided by Google Images).

Figure 2. Photograph of Zaxby's restaurant in Holly Springs, GA (provided by Google Images).
To: Unified Government Board of Commissioners
From: City Staff
Date: June 25, 2015
Re: Petition PR-2015-14 (150156)

GENERAL INFORMATION

Applicant: Matt Schlicht

Status of Applicant: Representative
Engineering Solutions
50 Southeast 30th Street
Lee’s Summit, MO

Requested Actions: Preliminary and Final Plan Review for new auto dealership

Date of Application: April 26, 2015

Purpose: Approve plans to build an auto dealership at Legends Auto Plaza

Property Location: 1900 North 100th Terrace

Existing Zoning: CP-2 Planned General Business District
To: Unified Government Board of Commissioners

From: City Staff

Date: June 25, 2015

Re: Petition PR-2015-14 (150156)

GENERAL INFORMATION

Applicant: Matt Schlicht

Status of Applicant: Representative
Engineering Solutions
50 Southeast 30th Street
Lee’s Summit, MO

Requested Actions: Preliminary and Final Plan Review for new auto dealership

Date of Application: April 26, 2015

Purpose: Approve plans to build an auto dealership at Legends Auto Plaza

Property Location: 1900 North 100th Terrace

Existing Zoning: CP-2 Planned General Business District
Surrounding Zoning:  
**North:** CP-2 Planned General Business District  
**South:** CP-2 Planned General Business District  
**East:** CP-2 Planned General Business District  
**West:** Interstate I-435

Existing Uses:  
**North:** Retail (Speedway Village)  
**South:** Undeveloped parcels, planned for commercial use  
**East:** Commercial  
**West:** Interstate I-435

Total Tract Size:  9.15 acres

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

Major Street Plan:  100th Terrace has not yet been built, will be a designated Collector street.

Advertisement:  
The Wyandotte Echo – Not Required  
Letters to Property Owners – May 13, 2015 and June 16, 2015

Public Hearings:  June 8, 2015 and June 25, 2015

Public Opposition:  No one appeared in opposition at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

**Detailed Outline of Requested Action:**  Mr. Schlicht is seeking approval to build a 30,425 square foot Nissan auto dealership at 1900 North 100th Street.

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

STATUTORY REQUIREMENTS/ FACTORS TO BE CONSIDERED

1. **Neighborhood character.**

   This property is surrounded by current or future commercial development, the proposed use is compatible with other projects in the area.

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

   The zoning and uses of properties nearby are set out above. The proposed use is compatible with them.
3. **The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?**

The removal of the restrictions will not detrimentally affect nearby property.

4. **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 proposed use will increase traffic and parking demands for the site which is currently undeveloped. This is not expected to have a negative effect on nearby properties, however.

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

This use is in line with the Master Plan use of commercial space.

6. **The extent to which 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 nearby property.**

The proposed use, an auto dealership, is not reasonably necessary for the convenience and welfare of the public and will not substantially injure the appropriate use, visual quality or marketability of nearby property.

7. **The extent to which the proposed use could cause environmental harm or enhance the environment.**

This is not an issue.

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

   a. **Water service**

      Existing

   b. **Sanitary sewer service**

      Existing

   c. **Storm water control**

      To be designed to meet City Code

   d. **Police**

      Police service is provided by the West Patrol, District #223
e. Fire

Fire service is provided by Station #6

f. Transit

Transit stops are located on Village West Parkway

g. Schools

Piper USD 203

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

This plan meets all ordinance requirements.

PREVIOUS ACTIONS

Change of Zone from AG Agricultural to CP-2 approved November 2007 and Final Plat approved December 2014.

KEY ISSUES

Compliance with the Commercial Design Guidelines

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 10 to 0 to recommend approval of Plan Review Application #PR-2015-14, subject to:

Urban Planning and Land Use Comments:

A) An erosion control plan including silt fences is suggested. See Conservation District comments attached (in file).

Urban Planning and Land Use Stipulations:

Landscape

- The building foundation must be landscaped.
  - At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers. (Sec. 27-577 d.1)
• There must be 25 feet of landscaping between the public street and the parking lot
  o New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. (Sec. 27-577 b.1)

• Trees cannot be located in the site triangle on driveway
• The applicant will work with staff within the Development Review Committee process to have the majority of building foundation landscaping.

Architecture
• North Elevations
  o Metal cladding may only be 17% of the façade area.
• All downspouts must be internalized
• All roof mounted units must be screened by the parapet
• All signs must be approved and permitted separately by the Planning staff

Lighting
• Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.
• Exterior parking lot lighting shall have 90 degree cutoff fixtures.

Public Works Comments:
Please refer to all other communication on this issue.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to Factors to be Considered and Key Issues and recommends APPROVAL of Petition #PR-2015-14 subject to all comments and suggestions outlined in this staff report.
ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Aerial photograph
Zoning map
Site and landscape plan
Elevations

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STAFF CONTACT: Jamie Ferris jferris@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners APPROVE Petition #PR-2015-14 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:

1. _______________________________________________________________________
2. _______________________________________________________________________; And
3. _______________________________________________________________________.

OR

I move the Unified Government Board of Commissioners DENY Petition #PR-2015-14, 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.

JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:

150156 PLAN REVIEW APPLICATION #PR-2015-14 – MATT SCHLICT - SYNOPSIS:
Preliminary and Final Plan Review for a new auto dealership at 1900 North 100th Terrace

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 8, 2015;
5. The application and other documents, plans, pictures and maps submitted by
   the applicant in furtherance of the case and contained in the official file; and

Ms. Parker asked if any member of the Planning Commission had any contact to
disclose concerning this case. (No one responded in the affirmative.)

Mr. Matt Schlicht, Engineering Solutions, 50 Southeast 30th Street, Lee Summit,
Missouri, applicant, appeared in support of this application. Mr. Schlicht stated that he
is representing Fenton Nissan who is looking to locate on Lot 1, Legends Auto Plaza
which is still under construction but they are getting closer. It is a 30,000 square foot
new dealership for Nissan with their standard customer parking and lot for their cars and
inventory. He stated that they are in agreement with all the staff stipulations and he
thinks that they have worked through all the comments with the exception of two. He
stated one is a deviation request under landscaping. The ordinance requires at least 75
percent of the length of the foundation be landscaped. They have landscaped and done
everything that they can do but want to do it a parking row over. Where the building
comes down they have a sidewalk, drive aisle and parking stall and they would like to
landscape next to the curb where the parking area is. The purpose is because this is a
tight site. There is a large concrete box that runs through the middle of the site that has
a large easement that identifies an area and forces their building to one direction and
then the overhead power lines go through another direction of their site that forces their
building in another direction. They are pinned in because the way that the large
dealerships work is that there is a specific style of building, color and shape that they
have to have. In order to fit the building in there, they have fit it in the southeast corner
of the site out of the easements and they have run out of room. They cannot put any
landscaping right adjacent to the building. They will put the landscaping in but ask that
it be between the street and their parking which is about 45’ from the edge of the
building. The only other deviation request that they have is the metal cladding. Nissan
has been reinvented the last few years and they have new fronts on their stores and it is
largely metal with a very effective look that they want to have. The architect has gone
back and worked with Nissan architects and reduced it down on all sides except the
north side which is truly their north entrance to the site and reduced it to 17% (15% is
the requirement.) He stated that the 17% is stripping everything out that they can and
there is a metal piece at the front main door (very attractive looking and standard on
every dealership.) The other sides meet the 15% requirement.

No one appeared in opposition to this application.

Planning Director Richardson stated that on the deviation of the metal on the north side
from 15% to 17% that is acceptable in that area. On the landscaping around the edge
of the building he understands that where there are garage doors that may not be
practical. Staff would like to work with them to do as much as possible by the building.
That is the intent of the code. All businesses would like to put the landscaping in the
parking lot and not adjacent to their building. He would like to implement this to the
greatest degree possible. That can be worked out through the Development Review Committee process.

On motion by Mr. Carson, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend APPROVAL of Plan Review Application #PR-2015-14:

Carson   Aye
Connelly  Aye
DeWitt    Aye
Ernst     Aye
Escobar   Aye
Gonzalez  Aye
Huey      Aye
Hurrelbrink Chairman
Pauley    Aye
Schwartzman Aye
Walker    Aye

Motion to recommend APPROVAL Passed: 10 to 0

Subject to:

Urban Planning and Land Use Comments:

A) An erosion control plan including silt fences is suggested. See Conservation District comments attached.

Urban Planning and Land Use Stipulations:

Landscape
  • The building foundation must be landscaped.
    o At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers. (Sec. 27-577 d.1)

  • There must be 25 feet of landscaping between the public street and the parking lot
    o New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. (Sec. 27-577 b.1)

  • Trees cannot be located in the site triangle on driveway
  • The applicant will work with staff within the Development Review Committee process to have the majority of building foundation landscaping.
Architecture
  • North Elevations
    o Metal cladding may only be 17% of the façade area.
  • All downspouts must be internalized
  • All roof mounted units must be screened by the parapet
  • All signs must be approved and permitted separately by the Planning staff

Lighting
  • Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.
  • Exterior parking lot lighting shall have 90 degree cutoff fixtures.

Public Works Comments:
  Please refer to all other communication on this issue.
Please note that the zoning has been changed to CP-2, Planned Commercial
## PLANTING GUIDE

<table>
<thead>
<tr>
<th>SYMBOL</th>
<th>QUANT</th>
<th>SYM</th>
<th>NAME</th>
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<td>TA</td>
<td>AMERICAN BASSWOOD LINIUM TILIA AMERICANA</td>
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<td>NORWAY SPRUCE PICEA OBESA</td>
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<td>NC</td>
<td>HOLLAND CHINESE JUNIPER JUNIPERUS CHINENSIS HOLMINTY</td>
<td>#3 POT</td>
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<tr>
<td>.</td>
<td>77</td>
<td>NB</td>
<td>BURNING BUSH RUSCUS ALATUS</td>
<td>#3 POT</td>
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</table>

Planting substitutions are allowed after submittal to Engineering Solutions and an approval is issued.
1. Evergreen Tree Planting

2. Deciduous Tree Planting

3. Sidewalk Edge at Plant Bed

4. Shrub Planting
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
913-573-5750

May 13, 2015

RE: PR-2015-14 Matt Schlicht with Engineering Solutions

Dear Mr. Richardson:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of the plans for PR-2015-14 Matt Schlicht with Engineering Solutions

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)
Small Commercial Buildings Limitations Map
Dwellings and Small Commercial Buildings Report
Soil Features

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 has 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.

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

- There are four major soil types identified: Ladoga silt loam, 3 to 8 percent slopes, Sharpsburg silty clay loam, 4 to 8 percent slopes, Orthents and Knox silty clay loam, 7 to 12 percent slopes eroded. These soil types are considered highly erodible when the surface is denuded of a protective cover.
• Since all we received for this plat review was an aerial picture of the location, it is hard to make a determination of the site needs. If there is to be any grading work done on this project, there will need to be an erosion control plan to reduce potential soil movement off the site during construction activities. The following Best Management Practices in this report can be used to reduce potential problems of soil runoff and siltation problems.

• 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 demudded 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 as well as the field manual, *Protecting Water Quality*, which is a useful guide for protecting community soil and water resources. This manual can be purchased from our office or it can be downloaded for free from the website [http://www.dnr.state.mo.us/wpscd/wpcp/wpcp-guide.htm](http://www.dnr.state.mo.us/wpscd/wpcp/wpcp-guide.htm). Limitation maps, detail soils reports and a conservation plan can also be requested for this site from our office.

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

Sincerely,

Cheri Miller
District Manager

closures
ORDINANCE NO._________________

AN ORDINANCE rezoning property hereinafter described located at approximately 2947 North 91st Street in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on January 23, 2015, by the owners of property to have the zoning of said property changed from its present zoning of R-1 Single Family District to A-G Agriculture District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

Lots 9 and 10 in Frances Place, a subdivision of land in Wyandotte County Kansas, that part of Lot 1 Lake-Valley a subdivision in Wyandotte County, Kansas, described as follows: Commencing at the Southwest corner of Lot 1, Lake-Valley, then North along the West boundary of Lot 1, Lake-Valley, 4.7 feet, then in an Easterly direction 328.27 feet more or less to the East boundary of said Lot 1, Lake-Valley, then South 4.3 feet to the South boundary of Lot 1, Lake-Valley, thence West along the South boundary of Lot 1, Lake-Valley, to the point of beginning, located at approximately 2947 North 91st Street, Kansas City, Kansas,

be changed from its present zoning of R-1 Single Family District to A-G Agriculture District as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Urban Planning and Land Use Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein
described to be now zoned for A-G Agriculture District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS_________ DAY OF__________________, 2015.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

BY: ______________________________________________________
MARK HOLLAND
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

________________________________________
UNIFIED GOVERNMENT CLERK
ORDINANCE NO._________________

AN ORDINANCE rezoning property hereinafter described located at approximately 6th Street from Tauromee Avenue to Splitlog Avenue, in Kansas City, Kansas, by changing the same from its present zoning of C-3 Commercial District to TND Traditional Neighborhood Design District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on January 23, 2015, by the owners of property to have the zoning of said property changed from its present zoning of C-3 Commercial District to TND Traditional Neighborhood Design District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

A tract of land to be rezoned lying in a portion of the Northwest Quarter and Southwest Quarter of Section 10 Township 11 South, Range 25 East of the 6th Principal Meridian, Kansas City, Wyandotte County, Kansas, being described as follows. Beginning at a point on the east-west centerline of Tauromee Avenue, as said road now exists and its intersection with the northerly extension of the east line of NELSON PLACE, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof. Thence southerly along said northerly extension and the east line of Lots 4, 3, 2, and 1 of said NELSON PLACE to the southeast corner of said Lot 1 said point also being the northeast corner of Lot 25 of MOODY & EARLY’S ADDTION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof. Thence southerly along the east line of Lots 25, 24, 23, 22, and 21 of said MOODY & EARLY’S ADDTION to the southeast corner of said Lot 21 and the north right-of-way line of Sandusky Avenue as said road now exists. Thence southerly departing said north right-of-way line to a point on the south right-of-way line of said Sandusky Avenue, said point being the northeast corner
of Lot 21, EARLY’S ADDITION, a subdivision in the Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof. Thence southerly along the east line of Lots 21 thru 25 of said EARLY’S ADDITION to the southeast corner of said Lot 25, said point being the northeast corner of Lot 21, Block 1, MORRIS & EARLY’S ADDITION, a subdivision of land in the City of Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof. Thence southerly along the east line of Lots 21 thru 25 Block 1, of said MORRIS & EARLY’S ADDITION to the southeast corner of Lot 25, said point being on the north right-of-way line of Elizabeth Avenue, as said road now exists.

Thence southeasterly departing said north right-of-way line to a point on the south right-of-way line of said Elizabeth Avenue, said point being the northeast corner of Lot 22, Block 2, MORRIS & EARLY’S ADDITION. Thence southerly along the east line of Lots 22 thru 27, Block 2 of said MORRIS & EARLY’S ADDITION and its southerly extension to the south right-of-way line of Orville Street, as said road now exists. Thence westerly along said south right-of-way line of Orville Street to the intersection of the easterly right-of-way line of 6th Street as said road now exists. Thence southeasterly along said easterly right-of-way line to a point on the north right-of-way line of a tract of land filed in book 3496 page 0572 in the Register of Deeds office of the County Courthouse in Kansas City, Wyandotte County, Kansas. Thence easterly along said northerly line to the northeast corner of a said tract of land filed in book 3496 page 0572.

Thence southerly along the east line of said tract of land filed in book 3496 page 0572 to a point on the north right-of-way line of Splitlog Avenue, as said road now exists. Thence westerly along said north right-of-way line of Splitlog Avenue to the east right-of-way line of said 6th Street. Thence northwesterly departing the east right-of-way line of said 6th Street to the west right-of-way line of said 6th Street, said point being the southeast corner of a tract of land filed in book 5549 page 0517 and to a point on the north line of a tract of land filed in book 2486 page 0675 in the Register of Deeds office of the County Courthouse in Kansas City, Wyandotte County, Kansas. Thence westerly along the southerly line of a tract of land in said book 5549 page 0517 and the northerly line of said tract of land in said book 2486 page 0675, to the southwest corner of a tract of land filed in said book 5549 page 0517. Thence northerly along the west line of a tract of land in said book 5549 page 0517 and the east line of a tract of land in said book 2486 page 0675 to the northeast corner of a tract of land in said book 2486 page 0675 said corner being the southeast corner of a tract of land filed in book 3938 page 0380 in the Register of Deeds office of the County Courthouse in Kansas City, Wyandotte County, Kansas. Thence westerly along the north line of a tract of land in said book 2486 page 0675 and the south line of a tract of land in said book 3938 page 0380 to the southwest corner of said tract of land in book 3938 page 0380, said point also being the southeast corner of Lot 4, STOUT AND CO’S ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof. Thence northerly along the east line of said Lot 4 and the west line of said tract of land filed in book 3938 page 0380 to the northeast corner of Lot 4 said point being on the south right-of-way line of Orville Avenue, as said road now exists. Thence northeasterly departing said
Thence northerly along the west line of the east 20 feet of Lot 56 to a point on the south line of the north 73.8 feet of Lots 54 thru 59, STOUT AND CO’S ADDITION. Thence westerly along the south line of the north 73.8 feet of lots 54 thru 59, to the west line of said Lot 54, STOUT AND CO’S ADDITION. Thence northerly along the west line of said Lot 54 to the northwest corner of said Lot 54, said point being on the south right-of-way line of Elizabeth Avenue, as said road now exists. Thence northerly departing said south right-of-way line to a point on the north right-of-way line of said Elizabeth Avenue, said point being the southwest corner of Lot 1, DREYERS ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof. Thence northerly along said west line of Lot 1 and the west line of Lots 2 thru 4, DREYERS ADDITION and the west line of Lots 4, 3, 2 and 1, Block 2, STOUT AND CO’S SECOND ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof, to the northwest corner of said Lot 1, Block 2, STOUT & CO’S SECOND ADDITION, said point being on the south right-of-way line of Sandusky Avenue, as said road now exists. Thence northerly departing said south right-of-way line to a point on the north right-of-way line of said Sandusky Avenue, said point being the southwest corner of Lot 1, Block 1, STOUT AND CO’S SECOND ADDITION. Thence northerly along the west line of said Lot 1 and the west line of Lots 2 thru 4, Block 1, STOUT AND CO’S SECOND ADDITION, to a point on the south line of Lot 5, SMITH AND KEATINGS’S ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof. Thence westerly along said south line of Lot 5, to the southwest corner of said Lot 5, SMITH AND KEATINGS’S ADDITION. Thence northerly along the west line of Lots 5, 4, 3, 2 and 1 of said SMITH AND KEATINGS’S ADDITION, and its northerly extension to the intersection of the east-west centerline of Tauromee Avenue, as said road now exists. Thence easterly along said east-west centerline of Tauromee Avenue and its easterly extension to the intersection of the north-south centerline of 6th street, as said road now exists. Thence northerly along said north-south centerline of 6th street to the intersection of the westerly extension of the east-west centerline of Tauromee Avenue, as said road now exists. Thence easterly along the westerly extension of the east-west centerline of said Tauromee Avenue to the Point of Beginning of the herein described tract of land to be rezoned,

be changed from its present zoning of C-3 Commercial District to TND Traditional Neighborhood Design District as defined by the Zoning Ordinances of Kansas City, Kansas.
Section 3. Pursuant to the Code of City Ordinances, Section 27-471, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Urban Planning and Land Use Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Urban Planning and Land Use Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for TND Traditional Neighborhood Design District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS________ DAY OF________________, 2015.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

BY: _______________________________
MARK HOLLAND
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

_____________________________
UNIFIED GOVERNMENT CLERK
ORDINANCE NO._________________

AN ORDINANCE rezoning property hereinafter described located at approximately 4014 Strong Avenue in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on March 24, 2015, by the owners of property to have the zoning of said property changed from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

The West 20 feet of Lot 20 and all of Lots 21 and 22, Resurvey of Block 11, WEST END ADDITION TO ARGENTINE, a subdivision in Kansas City, Wyandotte County, Kansas, located at approximately 4014 Strong Avenue, Kansas City, Kansas,

be changed from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Urban Planning and Land Use Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for R-2(B) Two Family District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.
Southwest corner of said Lot 33, 11.79 feet to the Point of Beginning of the tract herein described. Containing 888.79 square feet or 0.020 acres more or less, subject to survey and all easements and restrictions of record. A tract of land being part of the dedicated 15 foot alley, abutting the South lot line of Lot 5, Boeke Place, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the South Lot line of said Lot 5, Boeke Place having a bearing of North 87°47'07" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Southwest corner of Lot 5, said Bloke Place. Thence along the South lot line of said Lot 5, North 87°47'07" East, 7.50 feet to the Northerly extension of the westerly lot line of Lot 34, Boeke Place; Thence along the extension of the West line of said Lot 34, South 02°12'53" East, 6.99 feet; Thence along a line 0.5 feet offset Southwesterly from and parallel with an existing brick building wall that encroaches into the platted alley, North 51°12'25" West, 9.94 feet to the extension of the West lot line of said Lot 5; Thence along the extension of the West line of said Lot 5, North 02°12'53" West, to the Southwest corner of said Lot 5, 0.47 feet to the Point of Beginning of the tract herein described. Containing 27.95 square feet more or less, subject to survey and all easements and restrictions of record; located at approximately 1404 South 37th Street, Kansas City, Kansas.

BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. That the following described right-of-way and alley in Kansas City, Kansas be and the same is hereby vacated:

A tract of land being part of the dedicated right-of-way of 37th Street (platted as Boeke Street) and the dedicated right-of-way of Strong Avenue abutting Lots 13, 14 and 15, Block 14, West End Addition to Argentine, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the north right-of-way line of Strong Avenue, having a bearing of North 87°47'07" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Northeast corner of Lot 13, said West End Addition to Argentine. Thence along the easterly extension of the North line of said Lot 13, North 87°47'07" East, into the right-of-way of 37th Street, 6.38 feet; Thence along a line 0.5 feet offset East from and parallel with an existing brick wall that encroaches into the platted right-of-way of said 37th Street, South 02°11'36" East, 121.97 feet; Thence along a line 0.5 feet offset South from and parallel with an existing brick wall that encroaches into the platted right-of-way of said Strong Avenue, South 87°44'29" East, 83.84 feet; Thence along the southerly extension of the West line of said Lot 15, North 02°12'53" West, to the Southwest corner of said Lot 15, 2.04 feet; Thence along the Northerly right-of-way line of said Strong Avenue, North 87°47'07" East, 77.50 feet to the Southeast corner of said Lot 13; Thence along the Westerly right-of-way line of 37th Street, North 02°12'53" West,
120.00 feet to the Point of Beginning of the tract herein described. Containing 931.14 square feet or 0.021 acres more or less, subject to survey and all easements and restrictions of record. A tract of land being part of the dedicated right-of-way of 37th Street Abutting Lots 33, 34 and the vacated 15 foot alley, Boeke Place, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the West right-of-way line of 37th Street, having a bearing of North 02°12'53" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Southeast corner of Lot 33, said Boeke Place. Thence along the West right-of-way line of said 37th Street, North 02°12'53" West, 75.40 feet to the North line of the said vacated Alley; Thence along the easterly extension of the North line of said vacated alley, North 87°47'07" East, 11.80 feet into the dedicated right-of-way of 37th Street; Thence along a line 0.5 feet offset East from and parallel with an existing brick wall that encroaches into the platted right-of-way of said 37th Street, South 02°12'31" East, 75.29 feet to the extension of the south lot line of said Lot 33; Thence along the easterly extension of the South line of said Lot 33, South 87°15'36" West, to the Southwest corner of said Lot 33, 11.79 feet to the Point of Beginning of the tract herein described. Containing 888.79 square feet or 0.020 acres more or less, subject to survey and all easements and restrictions of record. A tract of land being part of the dedicated 15 foot alley, abutting the South lot line of Lot 5, Boeke Place, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the South Lot line of said Lot 5, Boeke Place having a bearing of North 87°47'07" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Southwest corner of Lot 5, said Bloke Place. Thence along the South lot line of said Lot 5, North 87°47'07" East, 7.50 feet to the Northerly extension of the westerly lot line of Lot 34, Boeke Place; Thence along the extension of the West line of said Lot 34, South 02°12'53" East, 6.99 feet; Thence along a line 0.5 feet offset Southwesterly from and parallel with an existing brick building wall that encroaches into the platted alley, North 51°12'25" West, 9.94 feet to the extension of the West lot line of said Lot 5; Thence along the extension of the West line of said Lot 5, North 02°12'53" West, to the Southwest corner of said Lot 5, 0.47 feet to the Point of Beginning of the tract herein described. Containing 27.95 square feet more or less, subject to survey and all easements and restrictions of record; located at approximately 1404 South 37th Street, Kansas City, Kansas.

Section 2. 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, such as sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated.

#RW and #A-2015-2 Ordinance
Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the *Wyandotte County Echo*.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF ___________, 2015.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

BY: __________________________________________
    MARK HOLLAND
    MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

__________________________________________
UNIFIED GOVERNMENT CLERK
ORDINANCE NO. _______

AN ORDINANCE vacating a tract of land being part of the dedicated right-of-way of 37th Street (platted as Boeke Street) and the dedicated right-of-way of Strong Avenue abutting Lots 13, 14 and 15, Block 14, West End Addition to Argentine, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the north right-of-way line of Strong Avenue, having a bearing of North 87°47'07" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Northeast corner of Lot 13, said West End Addition to Argentine. Thence along the easterly extension of the North line of said Lot 13, North 87°47'07" East, into the right-of-way of 37th Street, 6.38 feet; Thence along a line 0.5 feet offset East from and parallel with an existing brick wall that encroaches into the platted right-of-way of said 37th Street, South 02°11'36" East, 121.97 feet; Thence along a line 0.5 feet offset South from and parallel with an existing brick wall that encroaches into the platted right-of-way of said Strong Avenue, South 87°44'29" East, 83.84 feet; Thence along the southerly extension of the West line of said Lot 15, North 02°12'53" West, to the Southwest corner of said Lot 15, 2.04 feet; Thence along the Northerly right-of-way line of said Strong Avenue, North 87°47'07" East,77.50 feet to the Southeast corner of said Lot 13; Thence along the Westerly right-of-way line of 37th Street, North 02°12'53" West, 120.00 feet to the Point of Beginning of the tract herein described. Containing 931.14 square feet or 0.021 acres more or less, subject to survey and all easements and restrictions of record. A tract of land being part of the dedicated right-of-way of 37th Street Abutting Lots 33, 34 and the vacated 15 foot alley, Boeke Place, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the West right-of-way line of 37th Street, having a bearing of North 02°12'53" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Southeast corner of Lot 33, said Boeke Place. Thence along the West right-of-way line of said 37th Street, North 02°12'53" West, 75.40 feet to the North line of the said vacated Alley; Thence along the easterly extension of the North line of said vacated alley, North 87°47'07" East, 11.80 feet into the dedicated right-of-way of 37th Street; Thence along a line 0.5 feet offset East from and parallel with an existing brick wall that encroaches into the platted right-of-way of said 37th Street, South 02°12'31" East, 75.29 feet to the extension of the south lot line of said Lot 33; Thence along the easterly extension of the South line of said Lot 33, South 87°15'36" West, to the

#RW and #A-2015-2 Ordinance
Southwest corner of said Lot 33, 11.79 feet to the Point of Beginning of the tract herein described. Containing 888.79 square feet or 0.020 acres more or less, subject to survey and all easements and restrictions of record. A tract of land being part of the dedicated 15 foot alley, abutting the South lot line of Lot 5, Boeke Place, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the South Lot line of said Lot 5, Boeke Place having a bearing of North 87°47'07" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Southwest corner of Lot 5, said Bloke Place. Thence along the South lot line of said Lot 5, North 87°47'07" East, 7.50 feet to the Northerly extension of the westerly lot line of Lot 34, Boeke Place; Thence along the extension of the West line of said Lot 34, South 02°12'53" East, 6.99 feet; Thence along a line 0.5 feet offset Southwesterly from and parallel with an existing brick building wall that encroaches into the platted alley, North 51°12'25" West, 9.94 feet to the extension of the West lot line of said Lot 5; Thence along the extension of the West line of said Lot 5, North 02°12'53" West, to the Southwest corner of said Lot 5, 0.47 feet to the Point of Beginning of the tract herein described. Containing 27.95 square feet more or less, subject to survey and all easements and restrictions of record; located at approximately 1404 South 37th Street, Kansas City, Kansas.

BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. That the following described right-of-way and alley in Kansas City, Kansas be and the same is hereby vacated:

A tract of land being part of the dedicated right-of-way of 37th Street (platted as Boeke Street) and the dedicated right-of-way of Strong Avenue abutting Lots 13, 14 and 15, Block 14, West End Addition to Argentine, a subdivision in Kansas City, Wyandotte County, Kansas and more particularly described as follows: (Note: For course orientation the bearings in this description are based upon the north right-of-way line of Strong Avenue, having a bearing of North 87°47'07" East as determined by Global Positioning Systems observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD 83.) Beginning at the Northeast corner of Lot 13, said West End Addition to Argentine. Thence along the easterly extension of the North line of said Lot 13, North 87°47'07" East, into the right-of-way of 37th Street, 6.38 feet; Thence along a line 0.5 feet offset East from and parallel with an existing brick wall that encroaches into the platted right-of-way of said 37th Street, South 02°11'36" East, 121.97 feet; Thence along a line 0.5 feet offset South from and parallel with an existing brick wall that encroaches into the platted right-of-way of said Strong Avenue, South 87°44'29" East, 83.84 feet; Thence along the southerly extension of the West line of said Lot 15, North 02°12'53" West, to the Southwest corner of said Lot 15, 2.04 feet; Thence along the Northerly right-of-way line of said Strong Avenue, North 87°47'07" East, 77.50 feet to the Southeast corner of said Lot 13; Thence along the Westerly right-of-way line of 37th Street, North 02°12'53" West,
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Section 2. 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, such as sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated.
Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the WYANDOTTE COUNTY ECHO.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ______ DAY OF ____________, 2015.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

BY: __________________________________________
MARK HOLLAND
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

_________________________________
UNIFIED GOVERNMENT CLERK
Unified Government Board of Commissioners

City Staff

June 25, 2015

Petition #SP 2015-22 (150152)

GENERAL INFORMATION

Applicant:
George and Peggy Stuart

Status of Applicant:
Owner
7259 Gibbs Road
Kansas City, Kansas

Requested Action:
Approve Special Use Permit

Date of Application:
March 27, 2015

Purpose:
To keep a storage container on property

Property Location:
7259 Gibbs Road
Kansas City, Kansas

Existing Zoning:
R-1 Single Family District
Advertisement:  The Wyandotte Echo – April 16, 2015
Letters to Property Owner – April 14, 2015, May 6, 2015 and June 13, 2015

Public Hearings:  June 8, 2015 and June 25, 2015

Public Opposition:  There were two (2) people that appeared with questions at the June 8, 2015 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant is requesting a special use permit to keep a storage container on the property.

City Ordinance Requirements: 27-1251 through 27-1270

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

   The area is residential in nature.

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

   Nearby uses are residential, a storage container is not seen as compatible.

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

   A storage container is not typically seen as a suitable use in a residential area.

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

   The property is not vacant.

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

   The Master Plan does not address Special Use Permits.

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.

   This is not expected to be an issue.
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.

Storage containers can be unsightly for adjoining property owners.

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.

This is not an issue.

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

This is not an issue.

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

This is not foreseen to be an issue.

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

There is limited public gain compared the hardship imposed on the landowners.

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

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on May 21, 2015. There were 15 people in attendance. No one expressed opposition.

KEY ISSUES

Number of accessory structures on the property
Visual quality of the storage container
PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 5 to recommend denial of Special Use Permit Application #SP-2015-22 as a storage container is not appropriate in a residential area.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

Urban Planning and Land Use Comments:

While the storage container is not highly visible from the street, staff feels there are multiple issues with allowing the applicants to keep this container on the property.

Firstly, the Board of Commissioners has expressed a desire to eliminate this type of use (storage/shipping containers as personal storage) in residential areas. They have been found to be unsightly as well as an incompatible use in local neighborhoods. By recommending approval on this application, staff feels this is not only in direct conflict with the directive of the Commissioners but sets a precedent for these types of uses to be continually approved in other neighborhoods.

Secondly, the applicant already has multiple accessory buildings on the property; a detached garage, a carport, a small storage shed (square footage unknown), a chicken coop (presence of chickens unknown), and a barn (square footage unknown) in addition to the storage container, which is already in use on the property.

Furthermore, this second issue raises additional issues. The property (7259 Gibbs Road) was annexed into the City of Kansas City, Kansas in 1972. It entered the City as R-1 Single Family District. Before the annexation, the property was zoned "B Single Family". Because the property was never zoned for agricultural use, the existing barn, shed, chicken coop, garage and carport were never legal uses. Section 27-609 (2) states:

Accessory buildings (garages, carports, tool sheds, etc.). For any dwelling unit there may be permitted a detached accessory building. Such building shall not be located, in front of the house, less than two feet from any alley, nor closer than three feet to any side or rear property line. In the case of corner lots, a detached accessory building shall not be within 20 feet of the side street. The total area of such detached accessory building shall not exceed 1,000 square feet or cover more than 30 percent of the required rear yard. In any residential district on lots or tracts of less than three acres, the following conditions shall apply to any detached accessory building of greater than 120 square feet in floor area:

a. The exterior wall materials shall be limited to customary residential finish materials. These specifically 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. These specifically exclude preformed, corrugated or ribbed metal, fiberglass or plastic sheets or panels. Also, excluded as an exterior material are standard concrete masonry units. Exception: Metal can be used for the walls of the unit provided they have a factory applied and painted finish closely matching the color of the primary structure. Also, excluded as an exterior material are standard concrete masonry units except when the walls of the building are painted the exact color of the primary structure.

b.

The exterior roofing materials for roofs sloped more than two in 12 shall be shingles or tiles and not metal, fiberglass or plastic sheets. Exception: If using a metal roof the color must be a factory applied and painted finish that closely matches the roof color of the primary structure or the color of the primary structure itself if the roof and walls of the accessory structure are to be the same color.

c.

Up to two accessory structures existing in a side or rear yard and not in the front yard of a single property prior to April of 2008 are exempt from these regulations. Kansas City, Kansas 2008 Aerial photography will be used to make this determination.

d.

Accessory structures constructed after April of 2008 may be granted a variance upon written notarized approval from abutting neighbors impacted by the setback.

e.

Any accessory structure located in a front yard must obtain a variance from the board of zoning appeals.

f. Any parcel with more than one accessory structure where the structures do not conform to subsection (c) of this section must obtain a variance from the board of zoning appeals.

Because the applicant already has four (4) accessory structures as well as the storage container, not only is a Special Use Permit required for the storage container, but a variance is required to have more than one accessory structure on the property. Additionally, if the applicant is keeping chickens on the property, which is less than five (5) acres, a Special Use Permit is required for that activity as well.

Unfortunately, the applicant has created these hardships, of which there are many. There needs to be much more discussion and variances and Special Use Permits obtained to bring the applicant into compliance. At this time, staff cannot support the granting of the Special Use Permit for the storage container.
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) 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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends DENIAL of Petition #SP 2015-22 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 8, 2015 City Planning Commission Minutes
Aerial photograph
Zoning map
Photos submitted by applicant

REVIEW OF INFORMATION AND SCHEDULE

<table>
<thead>
<tr>
<th>Action</th>
<th>Planning Commission</th>
<th>Unified Government Commission</th>
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<tr>
<td>Public Hearing</td>
<td>June 8, 2015</td>
<td>June 25, 2015</td>
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<tr>
<td>Special Use</td>
<td>Denial</td>
<td></td>
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</tbody>
</table>

STAFF CONTACT: Jamie Ferris jferris@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners DENY Petition #SP 2015-22, 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.

OR

I move the Unified Government Board of Commissioners APPROVE Petition #SP-2015-22 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:

#SP 2015-22       June 25, 2015
1. ____________________________________________;  
2. ___________________________________________; And  
3. ____________________________________________.

JUNE 8, 2015 CITY PLANNING COMMISSION MINUTES:
150152 SPECIAL USE PERMIT APPLICATION #SP-2015-22 – GEORGE AND PEGGY STUART - SYNOPSIS: Special Use Permit for the Temporary Use of Land for a storage container at 7259 Gibbs Road

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;  
2. The official zoning map for the area in question;  
3. The City’s currently adopted Master Plan for the area in question;  
4. The staff report and attachments dated June 8, 2015;  
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 dated April 16, 2015;  

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Ms. Peggy Stuart, 7259 Gibbs Road, Kansas City, Kansas 66106, applicant, appeared in support of this application along with her grandson Eric Fuller, 7250 Gibbs Road, Kansas City, Kansas 66106. Ms. Stuart stated that the container is being used to supplement storage for additional lawn care equipment. She further stated that her husband is not able to do a lot so their grandson is helping them with his own lawnmower and tools. The container can barely be seen from the street because it sits far back behind a row trees. They could put a privacy fence up if that would help. There is 2.5 acres to mow. Mr. Fuller stated that he has been helping on the property most of his life.

Planning Commissioner Schwartzman asked if the container is 20’ or 40’. Mr. Fuller stated that it is 40’ and there is some room left in the container, but not a lot. Ms. Stuart stated that they have a zero turn mower and two (2) other riding lawnmowers. Mr. Fuller stated that they also have chain saws and tree equipment to maintain the trees along with a wheel barrel, shovels, etc.

Ms. Mary Wilson, administrator for the estate of 7241 Gibbs Road, 10019 West 52nd Street, Merriam, Kansas, appeared concerning this application. She stated that she was not sure what this container was going to be used for. Also she wanted to know what temporary use means; how long will it be there. Will it be on bare ground and if so
it is a 40' steel container which weighs a lot and will sink into the ground. This will cause problems for water flow which could flow onto the property at 7241. She does not know if it will be on a concrete slab, rock ground, etc. It is covered by a tree or bush line but in the winter time when the foliage is off, it will be in plain view. She stated that she is concerned about what it will do to the surrounding property values. It could be a living area for animals if it is not on a permanent station like concrete or asphalt; they will burrow underneath it. It is an open field area so there is a lot of foliage and they are used to that but now it is getting closer to the residential homes. She stated that she is not for or against this application but needs more information.

Mr. David Bledsoe, 7231 Gibbs Road, Kansas City, Kansas, appeared concerning this application. He stated that he would like to know what is temporary.

Planning Director Richardson stated that all initial special use permits that are not a very high dollar value are always two (2) years to begin with and can be approved longer after that. He stated that if approved, this application would be for two (2) years. He stated that he would like to call the Commission’s attention to pages 4 and 5 in the staff report. This property has multiple accessory structures and only one (1) is allowed by code in residential zoning. He stated that the applicant at a minimum would need a variance approved before this container could be approved. However, given the fact that it is a storage container and the issues there have been with storage containers in the past the staff is recommending denial of the case and would refer them to apply for a variance for the multiple structures on the site.

Planning Commissioner Escobar asked if the Commission is discussing the current storage container or are they adding another one. Planning Director Richardson stated that it is the current storage container.

Planning Commissioner Ernst asked if this had been the first storage container to the Board of Commissioners would it have been better received (than the first one) as this cannot be seen from the street. Planning Director Richardson stated that is a possibility but even when the staff found creative ways for the first one to be screened it was still rejected.

Planning Commissioner Carson asked if staff is saying that the additional structures were not grandfathered when the property was annexed. Planning Director Richardson stated yes as the property was zoned single family at that time. Mr. Carson stated that there is no grandfathering if the structures existed at that time. Director Richardson stated that there was zoning in place that would not have allowed the structures. Mr. Carson asked when that is caught. Director Richardson stated that the container was an issue through Code Enforcement and when staff asked additional questions, the applicants pointed out the other structures.

On motion by Mr. Connelly, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend APPROVAL of Special Use Permit Application #SP-2015-22 with staff stipulations regarding the rest of the property:

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<tr>
<td>Carson</td>
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#SP 2015-22       June 25, 2015

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<td>Pauley</td>
<td>No</td>
</tr>
<tr>
<td>Schwartzman</td>
<td>Aye</td>
</tr>
<tr>
<td>Walker</td>
<td>Aye</td>
</tr>
</tbody>
</table>

Motion to recommend APPROVAL Failed: 5 to 6

On motion by Mr. Escobar, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend DENIAL of Special Use Permit Application #SP-2015-22 as a storage container is not appropriate in a residential area:

<table>
<thead>
<tr>
<th>Name</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carson</td>
<td>Aye</td>
</tr>
<tr>
<td>Connelly</td>
<td>No</td>
</tr>
<tr>
<td>DeWitt</td>
<td>Aye</td>
</tr>
<tr>
<td>Ernst</td>
<td>No</td>
</tr>
<tr>
<td>Escobar</td>
<td>Aye</td>
</tr>
<tr>
<td>Gonzalez</td>
<td>No</td>
</tr>
<tr>
<td>Huey</td>
<td>Aye</td>
</tr>
<tr>
<td>Hurrelbrink</td>
<td>Aye</td>
</tr>
<tr>
<td>Pauley</td>
<td>Aye</td>
</tr>
<tr>
<td>Schwartzman</td>
<td>No</td>
</tr>
<tr>
<td>Walker</td>
<td>No</td>
</tr>
</tbody>
</table>

Motion to recommend DENIAL Passed: 6 to 5
street view from 7250 gibbs road.
we had to zoom in. because it isn't visible on this end.
it's between the trees behind the neighbors shed.
Staff Request for Commission Action

Type: Standard
Committee: Economic Development and Finance Committee
Proposed for the following Full Commission Meeting Date: 06/25/2015

Date of Standing Committee Action: 6/1/2015
(If none, please explain): 

☐ Changes Recommended By Standing Committee (New Action Form required with signatures)

<table>
<thead>
<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref</th>
<th>Department / Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/20/2015</td>
<td>Lideana Laboy</td>
<td>573-5700</td>
<td><a href="mailto:Llaboy@wycokck.org">Llaboy@wycokck.org</a></td>
<td></td>
<td>Public Works</td>
</tr>
</tbody>
</table>

Item Description: **ONLY VISIBLE TEXT WILL BE PRINTED**
A resolution authorizing the Unified Government to accept the MARC grant in the amount of $120,000.00 to fund the implementation and expansion of Safe Routes KCK Walking School Bus Expansion. The project was presented to the Commission in August of 2014. The grant requires a local match, and the necessary funding is already included in the budget. The grant also requires entering into an agreement with the State of Kansas should the Unified Government accept the grant.

Action Requested: **ONLY VISIBLE TEXT WILL BE PRINTED**
Submitted for approval by the Commission.

☐ Publication Required

Budget Impact (if applicable)

<table>
<thead>
<tr>
<th>Amount: $120,000.00</th>
<th>Source: Safe Route to School</th>
</tr>
</thead>
<tbody>
<tr>
<td>Included In Budget</td>
<td>CMIP 3326</td>
</tr>
</tbody>
</table>

Supporting Documentation
RESOLUTION NO. ________________________

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (Unified Government), has been selected to receive a Transportation Enhancement/Transportation Alternatives Grant from Mid-America Regional Council ("MARC") in the amount of $120,000.00 to fund the implementation and expansion of Safe Routes KCK Walking School Bus Expansion; and

WHEREAS, the grant requires the Unified Government provide a local match; and

WHEREAS, the Unified Government wishes to accept the grant; and

WHEREAS, per the terms of the grant, the Unified Government and the State of Kansas must enter into an agreement that further sets forth the requirements relating to the grant,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

1. The Unified Government County Administrator is hereby authorized and directed to enter into and execute in the name of the Unified Government of Wyandotte County/ Kansas City, Kansas the above referenced agreement with the State of Kansas.

2. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF __________, 2015.

UNIFIED GOVERNMENT CLERK
February 18, 2015

Doug Bach
County Administrator
Unified Government of Wyandotte County/Kansas City, KS
701 N. 7th St.
Kansas City, Kansas 66101

Dear Mr. Bach:

Congratulations on your award of federal transportation funds through the regional planning and investment programs coordinated by the Mid-America Regional Council. We look forward to working with you to implement the following projects awarded in 2014:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Ave and 18th Street Intersection</td>
<td>CMAQ-Kansas</td>
<td>$820,000</td>
</tr>
<tr>
<td>Route 107 - Southern Extension</td>
<td>CMAQ-Kansas</td>
<td>$135,000</td>
</tr>
<tr>
<td>12th &amp; 10th Street Bikeway, Metropolitan to Quindaro</td>
<td>CMAQ-Kansas</td>
<td>$320,000</td>
</tr>
<tr>
<td></td>
<td>TA-Kansas</td>
<td>$680,000</td>
</tr>
<tr>
<td>Leavenworth Road Modernization, 63rd to 38th (K-5)</td>
<td>STP-Kansas</td>
<td>$6,960,000</td>
</tr>
<tr>
<td>Route 107 Bus Stop/Station Improvements</td>
<td>STP-Kansas</td>
<td>$968,800</td>
</tr>
<tr>
<td>Safe Routes KCK-Elementary School Bus Expansion</td>
<td>TA-Kansas</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Safe Routes KCK Phase E: Edison, White &amp; Noble Prentis</td>
<td>TA-Kansas</td>
<td>$500,000</td>
</tr>
<tr>
<td>Safe Routes KCK Phase D: Rushton, Midland Trails &amp; Hazel Grove</td>
<td>TA-Kansas</td>
<td>$500,000</td>
</tr>
<tr>
<td><strong>Total Funding</strong></td>
<td></td>
<td><strong>$10,748,800</strong></td>
</tr>
</tbody>
</table>

If you have not already made contact with the Kansas Department of Transportation to initiate necessary agreements to move the project forward, please let us know and we can put you in touch with the appropriate staff.

As you know, in 2012 the MARC Board of Directors approved a project fee to provide a portion of the non-federal funds required to match federal funds that support regional transportation planning and investment programs. This project fee is 0.5% of the federal transportation funds awarded through MARC’s committee process. Applying this fee to the project above results in an amount of $53,719 that will be due to MARC in 2015, as reflected in the attached invoice. Your prompt attention to and payment of this invoice would be greatly appreciated.

If you have any questions regarding this letter and invoice, please contact me at rona@marc.org at (816) 701-8327.
Kansas

**TIP #: 259199**
Juris: UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY
Location/Improvement: SAFE ROUTES KCK WALKING SCHOOL BUS EXPANSION

<table>
<thead>
<tr>
<th>State #</th>
<th>Federal #</th>
<th>County: WYANDOTTE</th>
<th>Type: Other (Safety)</th>
<th>Length (mi): NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase: Other</td>
<td>Year of Obligation: 2015</td>
<td>Type: Federal</td>
<td>Source: TA-KS</td>
<td>Cost (IN THOUSANDS): $120.0</td>
</tr>
<tr>
<td>Phase: Other</td>
<td>Year of Obligation: 2015</td>
<td>Type: Non-Federal</td>
<td>Source: LOCAL</td>
<td>Cost (IN THOUSANDS): $30.0</td>
</tr>
<tr>
<td>Federal Total: $120.0</td>
<td>Non-Federal Total: $30.0</td>
<td>Total: $150.0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Description:**
Implementation and expansion of the KCK Walking School Bus program into an integrated SRTS Program at 10 schools throughout Kansas City, Kan. A 3-year, 4-step implementation model that includes analysis, community involvement, encouragement and enforcement, linking infrastructure investments with non-infrastructure programs to improve Engineering, Education, Encouragement, Enforcement, Evaluation and Equity to create vibrant, connected, sustainable communities around schools with focus on walking and biking.

**Status:**

---

**TIP #: 259200**
Juris: UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY
Location/Improvement: SAFE ROUTES KCK PHASE E: EDISON, WHITE & NOBLE PRENTIS

<table>
<thead>
<tr>
<th>State #</th>
<th>Federal #</th>
<th>County: WYANDOTTE</th>
<th>Type: Other (Safety)</th>
<th>Length (mi): NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase: Construction</td>
<td>Year of Obligation: 2016</td>
<td>Type: Federal</td>
<td>Source: TA-KS</td>
<td>Cost (IN THOUSANDS): $500.0</td>
</tr>
<tr>
<td>Phase: Construction</td>
<td>Year of Obligation: 2018</td>
<td>Type: Non-Federal</td>
<td>Source: LOCAL</td>
<td>Cost (IN THOUSANDS): $215.0</td>
</tr>
<tr>
<td>Federal Total: $500.0</td>
<td>Non-Federal Total: $215.0</td>
<td>Total: $715.0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Description:**
Project addresses the lack of sidewalks around schools along with a SRTS program that addresses childhood health problems, air quality, safety education and limited transportation choices. This includes construction of new sidewalks and ADA pedestrian ramps within a quarter-mile radius of the following elementary schools: Edison, WA White and Noble Prentis to provide safer access for pedestrians and young bicyclists to and from schools.

**Status:**

---

**TIP #: 259201**
Juris: UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY
Location/Improvement: LEAVENWORTH ROAD MODERNIZATION, 63RD TO 38TH (K-5)

<table>
<thead>
<tr>
<th>State #</th>
<th>Federal #</th>
<th>County: WYANDOTTE</th>
<th>Type: Reconstruction (No Added Capacity)</th>
<th>Length (mi): 2.8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase: Construction</td>
<td>Year of Obligation: 2014</td>
<td>Type: Federal</td>
<td>Source: STPM-KS</td>
<td>Cost (IN THOUSANDS): $6,960.0</td>
</tr>
<tr>
<td>Phase: Construction</td>
<td>Year of Obligation: 2017</td>
<td>Type: Non-Federal</td>
<td>Source: LOCAL</td>
<td>Cost (IN THOUSANDS): $3,840.0</td>
</tr>
<tr>
<td>Federal Total: $6,960.0</td>
<td>Non-Federal Total: $3,840.0</td>
<td>Total: $10,800.0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Description:**
Reconstruct the roadway area and intersections along Leavenworth Road from 63rd Street to 38th Street. Add continuous sidewalks on both sides of the road, remove guardrail, improve intersection pedestrian safety features, add turn lanes as needed, and upgrade drainage, curbs, driveways and lighting. Designate it as a bikeway with 5000-6000. Replace 3 signals. Excludes area improved with 55th Street project.

**Status:**
Staff Request for Commission Action

Type: Standard
Committee: Full Commission
Proposed for the following Full Commission Meeting Date: 06/25/2015

Date of Standing Committee Action: 11/17/2014
(If none, please explain):

[☐] Changes Recommended By Standing Committee (New Action Form required with signatures)

<table>
<thead>
<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref</th>
<th>Department / Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/18/2015</td>
<td>Lideana Laboy</td>
<td>5400</td>
<td><a href="mailto:llaboy@wycokck.org">llaboy@wycokck.org</a></td>
<td></td>
<td>Engineering</td>
</tr>
</tbody>
</table>

Item Description: **ONLY VISIBLE TEXT WILL BE PRINTED**

**Project Name: Safe Routes to School, Group D - CMIP #3334**

As part of the Safe Routes to School, Group D Project (CMIP 3334), the Commission adopted Resolution No. R-108-14, declaring the project to be necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired. The Ordinance directs the Chief Counsel to commence legal proceedings to acquire the property described in the survey and necessary for project.

Action Requested: **ONLY VISIBLE TEXT WILL BE PRINTED**

To approve the Ordinance

[☑] Publication Required

Publication Date: 7/2/2015

Budget Impact: (if applicable)

Amount: $ 
Source:
[☑] Included In Budget
[☐] Other (explain)
ORDINANCE NO.__________

AN ORDINANCE condemning land for the construction, maintenance, operation, reconstruction, and improvements of the Safe Route to School, Group D Project – CMIP 3334, all in Wyandotte County, Kansas; and directing the Chief Counsel to institute proceedings as provided by law to acquire said land in this ordinance described by condemnation proceedings.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE COUNTY/KANSAS CITY KANSAS

Section 1. The following described land is hereby condemned and appropriated to the Unified Government of Wyandotte County/Kansas City Kansas for the construction, maintenance, operation, reconstruction and improvements of the Safe Route to School, Group D– CMIP 3334, all in Wyandotte County, Kansas to-wit:

Tract No. 1 – Parcel No. 112928
Fee Owner: Patricia Ann Sanchez
4318 Adams St.
Kansas City, Kansas 66103

Temporary Construction Easement:
The South 5 feet of Lot 50, HUDSON LAKE, a subdivision of land in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 663.3 Square Feet.

Subject to easements and restrictions of record.

Tract No. 2 – Parcel ID No. 117009
Fee Owner: R & B Housing LLC
4339 Booth Street
Kansas City, Kansas 66103

Temporary Construction Easement:
The South 5 feet of Lot 10, IRELAND AND PETERSON 1ST ADDITION, a subdivision of land in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 625.0 Square Feet.

Subject to easements and restrictions of record.

Tract No. 5 – Parcel 112929
Fee Owner: Sharon K. Buchanan & Ronald Belden
4401 Springfield Street
Kansas City, Kansas 66103
Temporary Construction Easement:
The West 5 feet of the North 35 feet and the North 5 feet of the West 15 feet of Lot 90, HUDSON PLACE, a subdivision of land in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 225.0 Square Feet.

Subject to easements and restrictions of record.

Tract No. 16 – Parcel 902107
Fee Owner: Federal National Mortgage Association
2608 W. 44th Ave.
Kansas City, Kansas 66103

Temporary Construction Easement:
The South 5 feet of the West 20 feet of that certain tract of land described in Book 1818 at Page 596 in Kansas City, Wyandotte County, Kansas.

Containing 100.0 Square Feet.

Subject to easements and restrictions of record.

Tract No. 17 – Parcel 902108
Fee Owner: Callie J. Grantham
2614 W. 44th Ave.
Kansas City, Kansas 66103

Temporary Construction Easement:
The South 5 feet of the East 20 feet of that tract of land described in Document No. 2012R-16144 in Kansas City, Wyandotte County, Kansas.

Containing 100.0 Square Feet.

Subject to easements and restrictions of record.

Tract No. 18 – Parcel 113118
Fee Owner: Bethel International Center of Worship, Inc.
4349 Fisher Street
Kansas City, Kansas 66103

Temporary Construction Easement:
The South 8 feet of the East 20.02 feet and the South 5 feet of the West 70.32 feet of Lot 22, MAPLE LEAF LOTS ADDITION, a subdivision of land in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 511.8 Square Feet.

Subject to easements and restrictions of record.
Tract No. 19 – Parcel 113119  
Fee Owner:  Jamie Martin  
4348 Fisher Street  
Kansas City, Kansas 66103

Temporary Construction Easement:  
The South 5 feet of the West 20 feet of Lot 19, MAPLE LEAF LOTS ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 100.0 Square Feet.

Subject to easements and restrictions of record.

Tract No. 20 – Parcel 113156  
Fee Owner:  Richard & Susan Allen  
4351 Lloyd Street  
Kansas City, Kansas 66103

Temporary Construction Easement:  
The South 5 feet of the East 28 feet of Lot 66, MAPLE LEAF LOTS ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 140.0 Square Feet.

Subject to easements and restrictions of record.

Tract No. 22 – Parcel 113192  
Fee Owner:  William M & Angela J. Crawley  
4349 Pearl Street  
Kansas City, Kansas 66103

Permanent Right of Way  
A tract of land located in Lot 110, MAPLE LEAF LOTS ADDITION, a subdivision of land in Kansas City, Wyandotte County, Kansas and being more particularly described as follows:

Beginning at the Southwest corner of said lot 110;  
Thence in North 58°24’05” West, along the West line of said Lot 110, a distance of 4.00 feet;  
Thence South 58°24’04” East, a distance of 7.20 feet; thence South 87°51’05” West, along the South line of said Lot 109, a distance of 6.00 feet to the Point of Beginning.

Containing 12.00 Square Feet.

Subject to easements and restrictions of record.

AND

Temporary Construction Easement
The South 5 feet of the West 10.00 feet of Lot 110, MAPLE LEAF LOTS ADDITION, a subdivision of land in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 26.0 Square Feet, less that part taken in Permanent Right of Way.

Subject to easements and restrictions of record.

**Tract No. 201 – Parcel 915503**

**Fee Owner:** Turner Unified School District 202  
3101 S. 51st Street  
Kansas City, Kansas 66106

**Permanent Right of Way**

All that part of the Southeast Quarter of Section 36, Township 11 South, Range 24 East in Kansas City, Wyandotte County, Kansas, being more particularly described as follows:

Commencing at the South ¼ Corner of said Section 36; thence North 02°08’13” West along the West line of said Southeast Quarter, a distance of 957.69 feet;

Thence North 87°51’47” East, a distance of 25.00 feet to a point on the Easterly right of way line of S. 51st Street, as previously established and the Point of Beginning;

Thence North 02°08’13” West along said Easterly right of way line, a distance of 252.24 feet;

Thence South 60°35’31” East, a distance of 2.35 feet;

Thence South 02°08’13” East, a distance of 251.01 feet;

Thence South 87°51’47” West, a distance of 2.00 feet to the Point of Beginning.

Containing 503.21 Square Feet.

Subject to easements and restrictions of record.

AND

**Temporary Construction Easement**

All that part of the Southeast Quarter of Section 36, Township 11 South, Range 24 East in Kansas City, Wyandotte County, Kansas, being more particularly described as follows:

Commencing at the South ¼ Corner of said Section 36;

Thence North 02°08’13” West along the West line of said Southeast Quarter, a distance of 957.69 feet;

Thence North 87°51’47” East, a distance of 27.00 feet;

Thence North 02°08’13” West, a distance of 27.64 feet to the Point of Beginning;

Thence continuing North 02°08’13” West along said West line, a distance of 223.38 feet;
Thence South 60°35’31” East, a distance of 15.25 feet;
Thence South 02°08’13” East, a distance of 163.39 feet;
Thence North 87°51’47” East, a distance of 157.00 feet;
Thence South 02°08’13” East, a distance of 162.00 feet;
Thence South 87°51’47” West, a distance of 25.00 feet;
Thence North 02°08’13” West, a distance of 110.00 feet;
Thence South 87°51’47” West, a distance of 145.00 feet to the Point of Beginning.

Containing 13,766.0 Square Feet.

Subject to easements and restrictions of record.

**Tract No. 203 – Parcel 028949**

**Fee Owner:** RKS Investors, Inc.
5065 Locust Avenue
Kansas City, Kansas 66106

**Permanent Right of Way**
The West 2 feet of Lot 1, Block 31, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 268.6 Square Feet.

Subject to easements and restrictions of record.

AND

**Temporary Construction Easement**
The East 2 feet of the West 4 feet of Lot 1, Block 31, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 268.6 Square Feet

Subject to easements and restrictions of record.

**Tract No. 204 – Parcel 028901**

**Fee Owner:** Maria Landeros
2925 S. 51st Street
Kansas City, Kansas 66106

**Permanent Right of Way**
The West 2 feet of Lot 27, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.
Containing 120.0 Square Feet.

Subject to easements and restrictions of record.

AND

**Temporary Construction Easement**
The East 5 feet of the West 7 feet of Lot 27, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 300.0 Square Feet

Subject to easements and restrictions of record.

**Tract No. 205 – Parcel 028902**
Fee Owner:  Fred C. & Mahvash Prellberg
2921 S. 51st Street
Kansas City, Kansas 66106

**Permanent Right of Way**
The West 2 feet of Lot 28, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 120.0 Square Feet.

Subject to easements and restrictions of record.

AND

**Temporary Construction Easement**
The East 5 feet of the West 7 feet of Lot 28, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof,

Containing 300.0 Square Feet

Subject to all easements and restrictions of record.

**Tract No. 206 – Parcel 028903**
Fee Owner:  Joseph T. Moreno
2917 S. 51st Street
Kansas City, Kansas 66106

**Permanent Right of Way**
The West 2 feet of Lot 29, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 100.0 Square Feet.

Subject to easements and restrictions of record.
AND

Temporary Construction Easement
The East 5 feet of the West 7 feet of Lot 29, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 250.0 Square feet.

Subject to easements and restrictions of record.

Tract No. 207 – Parcel 028904
Fee Owner: Victor Guzman & Dora L. Sotelo
2913 S. 51st Street
Kansas City, Kansas 66106

Permanent Right of Way
The West 2 feet of Lot 30, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 110.0 Square Feet.

Subject to easements and restrictions of record.

AND

Permanent Right of Way
The East 5 feet of the West 7 feet of Lot 30, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 275.0 Square Feet.

Subject to easements and restriction of record.

Tract No. 208 – Parcel 028905
Fee Owner: Heirs of Thelma Louise Willhite
2909 S. 51st Street
Kansas City, Kansas 66106

Permanent Right of Way
The West 2 feet of Lot 31, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas according to the recorded plat thereof.

Containing 120.0 Square Feet.

Subject to easements and restrictions of record.

AND

Temporary Construction Easement
The East 5 feet of the West 7 feet of Lot 31, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas according to the recorded plat thereof.

Containing 300.0 Square Feet.

Subject to easements and restrictions of record.

**Tract No. 209 – Parcel 028906**
Fee Owner: John J. & Nancy C. Adcox
2905 S. 51st Street
Kansas City, Kansas 66106

**Permanent Right of Way**
The West 2 feet of Lot 32, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 169.4 Square Feet.

Subject to easements and restrictions of record.

AND

**Temporary Construction Easement**
All that part of Lot 32, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof, being more particularly described as follows:

Beginning at the Southwest corner of said Lot 32;

Thence North 02°08’13” West along the East right of way line of S. 51st Street, as previously established, a distance of 85.00 feet;

Thence South 74°19’13” East along the North line of said Lot 32, a distance of 7.35 feet;

Thence South 02°08’13” East, a distance of 21.38 feet;

Thence North 87°43’00” East, a distance of 13.00 feet;

Thence South 02°08’13” East, a distance of 20.00 feet;

Thence South 87°43’00” West, a distance of 13.00 feet;

Thence South 02°08’13” East, a distance of 42.00 feet to a point on the South line of said Lot 32;

Thence South 87°43’00” West along said South line, a distance of 7.00 feet to the Point of Beginning.

Containing 677.7 Square Feet.

Subject to easements and restrictions of record.
Tract No. 210 – Parcel 028907
Fee Owner: Dustin & Melissa Matzek
2901 S. 51st Street
Kansas City, Kansas 66106

Permanent Right of Way
The West 2 feet of Lot 1, Block 30, HIGHLAND CREST, subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 171.7 Square Feet.

Subject to easements and restrictions of record.

AND

Temporary Construction Easement
The East 3 feet the West 5 feet of Lot 1, Block 30, HIGHLAND CREST, subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 257.1 Square Feet.

Subject to easements and restrictions of record.

Tract No. 216 – Parcel 028899
Fee Owner: Thomas G. Fisher
5042 Locust Ave.
Kansas City, Kansas 66106

Temporary Construction Easement:
The South 5 feet of Lot 25, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 251.8 Square Feet.

Subject to easements and restrictions of record.

Tract No. 217 – Parcel 028898
Fee Owner: Curtis H. & Teri A. Reynolds
5038 Locust Ave.
Kansas City, Kansas 66106

Temporary Construction Easement:
The South 10 feet of Lot 28, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 503.6 Square Feet.

Subject to easements and restrictions of record.
Tract No. 218 – Parcel 028897
Fee Owner: Dung Tien Tran
5034 Locust Ave.
Kansas City, Kansas 66106

Temporary Construction Easement:
The South 10 feet of Lot 23, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 503.6 Square Feet.

Subject to easements and restrictions of record

Tract No. 219 – Parcel 028896
Fee Owner: Kimberly L. Wilson
5030 Locust Ave.
Kansas City, Kansas 66106

Temporary Construction Easement:
The South 10 feet of Lot 22, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 503.6 Square Feet.

Subject to easements and restrictions of record.

Tract No. 220 – Parcel 028895
Fee Owner: Dennis L. Harris Sr. & Jr.
5026 Locust Ave.
Kansas City, Kansas 66106

Temporary Construction Easement:
The South 20 feet of Lot 28, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1007.2 Square Feet.

Subject to easements and restrictions of record.

Tract No. 221 – Parcel 028894
Fee Owner: George & Maxine Manning
5022 Locust Ave.
Kansas City, Kansas 66106

Temporary Construction Easement:
The South 20 feet of Lot 20, Block 30, HIGHLAND CREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1007.2 Square Feet.

Subject to easements and restrictions of record.
Tract No. 222 – Parcel 028893
Fee Owner: Iris P. Pina-Hernandez
5018 Locust Ave.
Kansas City, Kansas 66106

Temporary Construction Easement:
The South 20 feet of Lot 19, Block 30, HIGHLAND CREST, a subdivision in Kansas City,
Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1007.2 Square Feet.

Subject to easements and restrictions of record

Tract No. 243 – Parcel 028929
Fee Owner: Foust Brothers, LLC
4802 Locust Ave.
Kansas City, Kansas 66106

Permanent Right of Way
A tract of land located in Lot 21, Block 19, HIGHLAND CREST, a subdivision in Kansas City,
Wyandotte County, Kansas, according to the recorded plat thereof and being more particularly
described as follows:

Beginning at the Southwest corner of said Lot 21, said point being at the intersection of the
Northwesterly right of way line of Shawnee Drive, as previously established and the Northeast
right of way line of Locust Ave, as previously established;

Thence along a curve to the left and along said Northeasterly right of way line having a chord
bearing of North 41°41’00” West, a radius of 356.46 feet for an arc distance of 6.00 feet;

Thence North 89°17’36” East, a distance of 7.87 feet to a point on said Northwesterly right of
way line of Shawnee Drive;

Thence South 40°15’40” West along said Northwesterly right of way line, a distance of 6.00 feet
to the Point of Beginning,

Containing 17.8 square feet.

Subject to easements and restrictions of record.

Tract No. 301 – Parcel 923917
Fee Owner: USD #500
6611 Waverly Ave.
Kansas City, Kansas 66104

Permanent Right of Way
A tract of land located in the Southwest Quarter of Section 34, Township 10 South, Range 24E,
all in the City of Kansas City, Wyandotte County, Kansas, being more particularly described as
follows:

Commencing at the West Quarter corner of said Section 34;
Thence South 02°45'00" East along the West line of said Southwest Quarter, a distance of 909.01 feet;

Thence North 87°55'52" East, a distance of 20.00 feet to the Point of Beginning, said point being the intersection of the Southerly right of way line of Cleveland Avenue and the Easterly right of way line of N. 67th Street, as previously established;

Thence continuing North 87°55'52" East along the Southerly right of way line of said Cleveland Avenue, a distance of 11.84 feet;

Thence South 42°35'26" West, a distance of 16.64 feet to a point on the Easterly right of way line of said N. 67th Street;

Thence North 02°45'00" West along said Easterly right of way line, a distance of 11.84 feet to the Point of Beginning.

Containing 70.1 Square Feet.

Subject to easements and restrictions of record.

AND

Temporary Construction Easement
A tract of land located in the Southwest Quarter of Section 34, Township 10 South, Range 24E, all in the City of Kansas City, Wyandotte County, Kansas, being more particularly described as follows:

Commencing at the West Quarter corner of said Section 34;

Thence South 02°45'00" East along the West line of said Southwest Quarter, a distance of 909.01 feet;

Thence North 87°55'52" East, a distance of 20.00 feet to the Point of Beginning, said point being the intersection of the Southerly right of way line of Cleveland Avenue and the Easterly right of way line of N. 67th Street, as previously established;
Thence continuing North 87°55'52" East along the Southerly right of way line of said Cleveland Avenue, and along North line of Lots 25-22, SCHONECREST, a subdivision in Kansas City, Wyandotte County, Kansas, a distance of 642.06 feet;

Thence South 02°18'18" East, a distance of 10.00 feet; thence South 87°55'52" West, parallel to said Southerly right of way line, a distance of 621.99 feet;

Thence South 02°45'00" East, parallel with the Easterly right of way line of said N. 67th Street, a distance of 405.78 feet;

Thence South 87°56'05" West, a distance of 20.00 feet to a point on said Easterly right of way line;

Thence North 02°45'00" West, along said Easterly right of way line, a distance of 415.78 feet to the Point of Beginning.

Containing 14,465.9 Square Feet, less that part taken in Permanent Right of Way.
Subject to easements and restrictions of record.

Tract No. 315 – Parcel 003621
Fee Owner: Roger & Tammi Russell
2321 N. 67th Street
Kansas City, Kansas 66104

Temporary Construction Easement:
The West 10 feet of Lot 22, IDYLLWILD, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1000.1 Square Feet.

Subject to easements and restrictions of record.

Tract No. 316 – Parcel 003622
Fee Owner: CTLC Properties I, LLC
2329 N. 67th Street
Kansas City, Kansas 66104

Temporary Construction Easement:
The West 10 feet of Lot 23, IDYLLWILD, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1000.1 Square Feet

Subject to easements and restrictions of record.

Tract No. 317 – Parcel 003501
Fee Owner: Darwyn E. Weaver & James P. Weaver, Sr.
2507 N. 67th Street
Kansas City, Kansas 66104

Temporary Construction Easement:
The West 10 feet of the West ½ of Lot 2 and the West 20 feet of the North 38 Feet.

EXCEPT the North 12 feet of the East 10 of the West 20 feet.

SCHONECREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1374.4 Square Feet.

Subject to easements and restrictions of record.
Tract No. 318 – Parcel 003500
Fee Owner: Eddie T. & Gail D. Jones
2517 N. 67th Street
Kansas City, Kansas 66104

Temporary Construction Easement:
The West 5 feet of Lot 1, SCHONECREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 579.8 Square Feet.

Subject to easements and restrictions of record.

Tract No. 319 – Parcel 003403
Fee Owner: Kyle Edward Grigsby
6661 Nogard Ave.
Kansas City, Kansas 66104

Temporary Construction Easement:
The West 10 feet of Lot 4, HAZELCREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1047.5 Square Feet

Subject to easements and restrictions of record.

Tract No. 320 – Parcel 003404
Fee Owner: Lucia Castaneda Guizar
6660 Nogard Ave.
Kansas City, Kansas 66104

Temporary Construction Easement:
The West 10 feet of Lot 5, HAZELCREST, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1367.2 Square Feet.

Subject to easements and restrictions of record.

Tract No. 321 – Parcel 003306
Fee Owner: Henry L. McDaniel
6661 Rowland Ave.
Kansas City, Kansas 66104

Temporary Construction Easement:
The West 10 feet of Lot 7, CANFIELD SUBDIVISION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1205.0 Square Feet.
Subject to easements and restrictions of record.

**Tract No. 323 - Parcel 002327**

**Fee Owner:** Charles & Christine Kennybrew  
6661 Georgia Ave.  
Kansas City, Kansas 66104

**Permanent Right of Way**
All that part of Lot 27, BRUNE ACRES, a subdivision in Kansas City, Wyandotte County, Kansas being more particularly described as follows.

Beginning at the Northwest corner of said Lot 27;

Thence North 87°55'52" East along the North line of said Lot 27, a distance of 22.00 feet;

Thence South 55°15'52" West, a distance of 25.94 feet to a point on the West line of said Lot 27;

Thence North 02°45'00" West along said West line, a distance of 14.00 feet to the Point of Beginning,

Containing 154.0 Square Feet.

Subject to all easements and restrictions of record.

AND

**Temporary Construction Easement**
The West 8 feet of Lot 27 along with the North 15 feet of the West 22 feet of said Lot 27, BRUNE ACRES, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Containing 1192.4 Square Feet.

Subject to easements and restrictions of record

Section 2. It is hereby found that the costs of this project will be paid from CMIP.3334.

Section 3. The Chief Counsel of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby ordered and directed forthwith to commence proceedings for the acquisition of the above described property and to do and perform all things which might be necessary and required by law to acquire the aforementioned rights in and to said property.

Section 4. This ordinance shall take effect and be in force after its passage, approval and publication in the official County, newspaper, The Wyandotte Echo.
PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS _____ DAY OF ______________, 2015.

Mayor/CEO Mark Holland

Unified Government Clerk

Approved as to form:
Kenneth J. Moore
Deputy Chief Counsel
NOTICE OF PENDING APPOINTMENT

DATE: June 16, 2015

BOARD POSITION: Law Enforcement Advisory Board

INCUMBENT REPLACED: Dixie Kaster

TERM EXPIRATION DATE: June 6, 2014

APPOINTING COMMISSIONER: Commissioner Mark Holland

REVIEW DATE: June 23, 2015

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Dixie Kaster (Re-Appointed)

ADDRESS: 3131 North 51st Street, KCK 66104

CELL NUMBER AND EMAIL ADDRESS: (information in Board file)

TERM OF OFFICE: June 25, 2014 TO 5/30/2019

Signature of Appointing Commission Member

Melissa Bynum

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.
NOTICE OF PENDING APPOINTMENT

DATE: June 16, 2015

BOARD POSITION: Wy/Leavenworth Area Agency on Aging Advisory Board

INCUMBENT REPLACED: Deloris Pinkard

TERM EXPIRATION DATE: October 8, 2014

APPOINTING COMMISSIONER: Commissioner Mark Holland

REVIEWS DATE (7 business days):

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Carroll O'Neal

ADDRESS: 3119 W. 46th Avenue, KCK 66103

CELL NUMBER AND EMAIL ADDRESS: 913-262-6508 (H) 913-626-0654 (C)

TERM OF OFFICE: June 25, 2014 TO 5/30/2019

[Signature]

SIGNATURE OF APPOINTING COMMISSION MEMBER

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.
NOTICE OF PENDING APPOINTMENT

DATE: June 16, 2015

BOARD POSITION: Advisory Committee on Disabilities Issues

INCUMBENT REPLACED: Melissa Moon

TERM EXPIRATION DATE: May 30, 2015

APPOINTING COMMISSIONER: Commissioner Angela Markley

REVIEW DATE: June 23, 2015

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Elaine Ward

ADDRESS: 1835 N. 27th Street, KCK 66104

CELL NUMBER AND EMAIL ADDRESS: 913-342-2164 or Rdhed27@yahoo.com

TERM OF OFFICE: June 25, 2014 TO 5/30/2019

Angela Markley

SIGNATURE OF APPOINTING COMMISSION MEMBER

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.
The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, May 14, 2015, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District and Mayor Pro Tem; Townsend, Commissioner First District; McKieman, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District, and Philbrook, Commissioner Eighth District. Mayor Holland, Mayor/CEO, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Jody Boeding, Chief Counsel; Carol Godsil, Deputy Unified Government Clerk; Joe Connor, Assistant County Administrator; Gordon Criswell, Assistant County Administrator; Ken Moore, Deputy Chief Counsel; Emerick Cross, Commission Liaison; Tim Weiss, Technology; and Captain Alexander Kump, Sergeant-At-Arms.

MAYOR PRO TEM WALKER called the meeting to order.

ROLL CALL: Walters, Philbrook, Bynum, Walker, Townsend, McKieman, Murguia, Johnson, Kane, Markley.

INVOCATION was given by Reverend George Kemper, Ebenezer Ministries.

THE AGENDA for May 14, 2015, was presented. Mayor Pro Tem Walker asked if there were any revisions to the agenda. Carol Godsil, Deputy UG Clerk, said there are none.

MAYOR’S AGENDA

ITEM NO. 1 – 150109...PROCLAMATION

Synopsis: Proclamation proclaiming the month of May 2015 as Mental Health Month.

Mayor Pro-Tem Walker said I would ask Randy Callstrom, the President and CEO of Wyandot, Inc. and Susan Craig Lewis to meet me at the podium as the Clerk reads the proclamation.
Ms. Godsil read the proclamation.

PROCLAMATION

WHEREAS, mental health is essential to everyone’s overall health and well-being; and
WHEREAS, all Wyandotte Countians experience times of difficulty and stress in their lives; and
WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and
WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being, tools that are provided by Wyandotte County’s designated community mental health center, Wyandot Center, and its behavioral health center for children, PACES; and
WHEREAS, mental health conditions are real and prevalent in our nation; and
WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and
WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts; and
WHEREAS, many tools exist in Wyandotte County to promote mental wellness and prevention, such as Mental Health First Aid, Trauma Informed Care, the Text. Talk. Act effort of Creating Community Solutions Kansas City, and workshops provided by Mental Health America of the Heartland.

NOW, THEREFORE, I, Mark R. Holland, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby the month of May 2015 as:

"Mental Health Month"

in Wyandotte County/Kansas City, Kansas and call upon the citizens, government agencies, public and private institutions, businesses and schools in Wyandotte County to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

MARK R. HOLLAND, MAYOR/CEO

Randy Callstrom, President and CEO of Wyandot Inc., said the theme for Mental Health Awareness Month across the entire metro is, it’s okay to talk about it. I just want to thank Commissioner Walker and the other commissioners here tonight for bringing awareness to

May 14, 2015
mental health and the importance that it plays in our community and in all of our lives and in all of our families. Thank you very much.

**Action:** Presentation of Proclamation.

**CONSENT AGENDA**

Mayor Pro-Tem Walker asked if there were any set-asides on the Consent Agenda. There were none.

**Action:** Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to approve the Consent Agenda. Roll call was taken and there were ten “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

**ITEM NO. 1 – 150127...ORDINANCE: NPIF2 KANSAS AVENUE, LLC IRBS**

**Synopsis:** An ordinance authorizing the issuance of not to exceed $18M of IRBs (NPIF2 Kansas Avenue, LLC Project), Series 2015, for two commercial buildings at 5100 Kansas Avenue, submitted by Marlon Goff, Economic Development. On April 30, 2015, a public hearing was held and the commission voted unanimously to adopt Resolution No. R-28-15 determining the UG’s intent to issue said bonds.

**Action:** **ORDINANCE NO. O-28-15, “An ordinance authorizing the issuance by the Unified Government Of Wyandotte County/Kansas City, Kansas of not to exceed $18,000,000 aggregate principal amount of taxable Industrial Revenue Bonds (NPIF2 Kansas Avenue, LLC Project), Series 2015, to provide funds to acquire, construct and equip a project for NPIF2 Kansas Avenue, LLC and authorizing and approving certain documents and actions in connection with the issuance of said bonds.”** Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to approve the ordinance. Roll call was taken and there were ten “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

May 14, 2015
ITEM NO. 2 – 150125...RESOLUTION: ASSIGNMENT OF BENEFITS TO PREMIER AUTOMOTIVE

Synopsis: A resolution granting consent to the assignment of a portion of the benefits of Resolution No. R-15-15 from SVVI, LLC to Premier Automotive of Kansas City, LLC (Project Area 2), submitted by Marlon Goff, Economic Development. On February 19, 2015, the commission voted unanimously to adopt Resolution No. R-15-15 determining the UG’s intent to issue IRBs in an amount not to exceed $57M.

Action: RESOLUTION NO. R-30-15, “A resolution consenting to the assignment of a portion of the benefits of Resolution No. R-15-15 from SVVI, LLC to Premier Automotive of Kansas City, LLC (Project Area 2).” Commissioner McKiernan made a motion, seconded by Commissioner Murgaia, to adopt the resolution. Roll call was taken and there were ten “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murgaia, Johnson, Kane, Markley.

ITEM NO. 3 – 150128...RESOLUTION: DAIRY FARMERS OF AMERICA IRBS

Synopsis: A resolution of intent to issue not to exceed $30M of IRBs for Dairy Farmers of America, Inc. global headquarters project at the intersection of France Family Drive and 98th Street, submitted by George Brajkovic, Economic Development Director. On February 26, 2015, the commission voted unanimously to adopt Resolution No. R-18-15 to approve a development agreement for said project.

Action: RESOLUTION NO. R-31-15, “A resolution determining the intent of the Unified Government of Wyandotte County/Kansas City, Kansas, to issue its industrial revenue bonds in one or more series in the aggregate amount not to exceed $30,000,000 to finance the costs of acquiring, constructing and equipping multiple facilities for the benefit of Dairy Farmers of America, Inc.” Commissioner McKiernan made a motion, seconded by Commissioner Murgaia, to adopt the resolution. Roll call was taken and there were ten “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murgaia, Johnson, Kane, Markley.

May 14, 2015
ITEM NO. 4 – MINUTES
Synopsis: Minutes from regular session of April 23, 2015, and special session April 30, 2015.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to approve. Roll call was taken and there were ten “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 5 - WEEKLY BUSINESS MATERIAL

Action: Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to receive and file and authorize fund transfer. Roll call was taken and there were ten “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

PUBLIC HEARING AGENDA
No items of business.

STANDING COMMITTEES’ AGENDA
No items of business.

ADMINISTRATOR’S AGENDA
No items of business.

COMMISSIONERS’ AGENDA
No items of business.

Mayor Pro-Tem Walker said that concludes the regular portion of the meeting for tonight. I will adjourn the meeting in that capacity and call us back to order as the Land Bank Board of Trustees.

May 14, 2015
LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

ITEM NO. 1 – 150092...COMMUNICATION: LAND BANK APPLICATIONS

Synopsis: Communication requesting consideration of the following applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval of the applications. On April 27, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Applications for yard extension
2053 Springfield Blvd. - Ja Mia Development, LLC
2248 Quindaro Blvd. - Stephanie Dickens
357 Quindaro Blvd. - Rose Washington
2947 N. 35th St. - Linda Puentes

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve. Roll call was taken and there were ten “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

PUBLIC ANNOUNCEMENTS

No items of business.

MAYOR PRO-TEM WALKER ADJOURNED

THE MEETING AT 7:09 P.M.

May 14, 2015

Carol Godsil
Deputy Unified Government Clerk

May 14, 2015
The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, May 28, 2015, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District (via telephone); McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; and Mayor Holland, Mayor/CEO, presiding. Philbrook, Commissioner Eighth District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Jody Boeding, Chief Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Assistant County Administrator; Joe Connor, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Ken Moore; Deputy Chief Counsel; Rob Richardson, Director Urban Planning and Land Use; Bryon Toy, Planner; Jamie Ferris, Planner; Janet Parker Administrative Assistant; and Captain Randall Balliett, Sergeant-At-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Holland.

INVOCATION was given by Sister Therese Bangert, Our Lady & St. Rose Catholic Church.

Mayor Holland said we have two distinct parts of our meeting. The Planning and Zoning part will be handled first following by our regular Commission meeting.

Mayor Holland asked if there were any revisions to the agenda. Bridgette Cobbins, UG Clerk, said there were no revisions.

Commissioner Murguia left the meeting at 7:04 p.m.
Ms. Cobbins, UG Clerk, asked if any members of the commission wished to disclose contact with proponents or opponents on any item on the agenda. Commissioner McKiernan disclosed communication with proponents of Item A1 on the Consent Agenda and proponents of Item A1 on the Non-Consent Agenda. Commissioner Walker said I need to state that I am an unpaid board member of ANDA for Item A2, Change of Zone. I don’t recall of having any contact from anybody on that board about that. Commissioner Kane said on the Non-Consent Agenda, Petition #SP-2014-80 both opponents and proponents and on Petition #SP-2015-24 an opponent. Commissioner Bynum said I also have had contact with proponents on the Non-Consent Agenda Item #SP-2014-80. Mayor Holland said I’ve also had contact with proponents of A1 and proponents and opponents on A1 on the Non-Consent Agenda.

Mayor Holland asked does anyone wish to set-aside any items on the Planning and Zoning Consent Agenda. There were none. A gentleman said I don’t hear real good so I’m sorry. Mayor Holland asked would you like to set-aside Number 3 for Quick Auto Salvage. The gentleman said all I know is I’m a middle man of all this and I was sent up. Mayor Holland said I will help you out. It is recommended for approval. If you do nothing it will be voted on by the commission in a single vote and it will follow the recommendation of this board, which is for approval. If you do not support approval, then you would want to pull it off and speak against the motion. If you want them to get their special use permit, it’s on the Consent Agenda for approval. Do you want them to get their special use permit? The gentleman said, yes.

Mayor Holland said I would leave it right where it is. Let the record show no one moved forward to remove an item from the Consent Agenda.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan to approve the Planning and Zoning Consent Agenda. Roll call was taken and there were eight “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley.

May 28, 2015
PLANNING AND ZONING CONSENT AGENDA
CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 150024...CHANGE OF ZONE PETITION #3085 – UNIFIED GOVERNMENT BOARD OF COMMISSIONERS

SYNOPSIS: Rezone properties covering an area on 6th Street from Taurome to Splitlog from C-3 Commercial District to either C-D Center Business District or TND Traditional Neighborhood Design District, submitted by Rob Richardson. This is to zone the neighborhood’s commercial area to better fit current and proposed uses while enhancing compatibility within the neighborhood. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3085, to the TND Traditional Neighborhood Design District.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Petition Application #3085. Roll call was taken and there were eight “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 2 – 150110...CHANGE OF ZONE PETITION #3086 – THERESE GARDNER FOR ANDA

SYNOPSIS: Change of zone from R-1(B) Single Family District to R-2(B) Two Family District to construct a duplex for seniors at 4014 Strong Avenue, submitted by Rob Richardson, Director of Planning. ANDA is seeking a change of zone in order to construct a duplex for senior living. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3086, subject to:

Urban Planning and Land Use Comments
Please provide site and development plans for the duplex, as required for submission.

Staff Response: Plans were provided.

Public Works Comments
1. Items that require plan revision or additional documentation before engineering can recommend approval: None.

2. Items that are conditions of approval (stipulations): None.

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

May 28, 2015
Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Petition Application #3086, subject to the stipulations. Roll call was taken and there were eight “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 3 - 150111...CHANGE OF ZONE PETITION #3087 – RICHARD MULLER/VAN TRUST REAL ESTATE LLC

SYNOPSIS: Change of zone from CP-2 Planned General Business District to BP Planned Business Park District for Dairy Farmers of America global headquarters at 1405 North 98th Street. The applicant with Van Trust Real Estate, LLC wants to build a three-story, 150,000 square foot office building and one 50,000 square foot laboratory with the potential future technology and innovation center as the corporate headquarters for Dairy Farmers of America (DFA) on 15.31. The future technology and innovation center, which are two separate buildings, a three-story and two-story building respectively, will be constructed in the second phase of this development. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3087, subject to:

Urban Planning and Land Use Comments

Building Architecture

1. Sec. 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 glass. The director may approve other high quality materials.

2. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
   a. Split shakes, rough sawn, or board and batten wood;
   b. Vinyl siding;
   c. Smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels;
   d. Field painted or prefinished corrugated metal siding;
   e. Standard single-tee or double-tee concrete systems; or
   f. EIFS at the ground level or comprising more than 15 percent of any façade.

Overall the building does not comply with our Commercial Design Guidelines. The largest non-conformity would be the proposed metal exterior. A number of past cases such as Performance

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Toyota, some tenants within Plaza at the Speedway and every casino application staff reviewed, originally proposed metal. Staff did not support any of those proposals.
The Cerner office building was approved by the City Planning Commission to have precast panels on the ground level and a metal panel skin on the subsequent eight stories. The panels were a high-quality, durable stainless steel that did not require any maintenance. The panel will not rust and due to the nature of the rain screen, it will not weep (drip marks that occur over time). The City has continuously denied any substantially metal buildings in the past and forced applicants to use alternatives.

Staff was concerned about precedence, but what distinguished Cerner's building from other buildings were the two nine-story towers and that they utilized high-quality, stainless steel that needed no maintenance over time. Lesser quality stainless was available, but was not allowed in that application or any other.

Metal accent, similar to EIFS, should not exceed 15 percent per façade.
Applicant Response: The elevations have been revised to show spandrel glass in lieu of metal accents around the vision glass. See revised Sheets A201, A202 and A203 dated 4/27/2015.

3. Wood screening is proposed as the other exterior building material. Other commercial developments have proposed using wood as a major accent; however, that material was reduced in scale to comply with the Commercial Design Guidelines.
Applicant Response: Based on our conversations with Director of Planning Robin Richardson, we understand that staff evaluates wood accents in the spirit of EIFS accent percentages. The high-quality wood rain screen material accounts for approximately 18% of the façade.

A request in the deviation of the Commercial Design Guidelines must be approved by the City Planning Commission.
Applicant Response: Request for above deviation is hereby made.
Staff Response: Staff supports this request with the two caveats. First, an authorized DFA Agent acknowledges the difficulty of maintaining the wood in a like new appearance as is desired. And further, that failure to maintain the wood in a like new appearance is grounds for code enforcement action under our code. Staff would prefer DFA move to a ceramic product that mimics the wood appearance to alleviate the maintenance issue. Secondly, the west elevation uses a significant amount of metal panel

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in the dock area. The dock area must be one hundred percent screened from adjacent properties and 98th Street prior to any certificate of occupancy. The method to accomplish this will be a subject for the final plan review.

**Landscaping and Screening**

1. All trees must be planted at 2" caliper. All shrubs along the exterior of the site must be planted at a minimum of 5 gallons. Internal shrubs must be planted at a minimum of 3 gallons.

   **Applicant Response:** Acknowledged.

2. All landscaping shall be irrigated.

   **Applicant Response:** The applicant is applying for LEED certification of the building. One of the strategies that the applicant is utilizing is water reduction strategies to cut the water usage for landscaping by 50%. While some of those strategies are using more efficient irrigation systems, to achieve this goal the applicant must reduce the amount of landscaping that is on the irrigation system. The applicant will be using a variety of native and drought resistant plants in the non-irrigated areas to achieve this without compromising the look of the landscape.

   **Staff Response:** This strategy has failed for other users in implementation. All landscape must be irrigated and LEED points sought in other areas.

3. The rooftop units are screened from all sides by the parapet.

   **Applicant Response:** The applicant understand staff’s concerns about the aesthetic of the rooftop mechanical screen. The applicant will conduct sight-line studies from 98th Street, confirm rooftop unit heights, and consider revisions to rooftop unit screening and parapet designs. The result of this effort will be presented with the Final Development Plan application.

   **Staff Response:** The applicant must be aware that raising the parapet has costs and that it would ultimately help in their material percentage calculations. Staff continues to prefer parapets to rooftop screening. It is not expected that this user would screen the roof from Interstate 435, but from 98th Street.

4. Utility boxes (including green transformer boxes) are screened from public view by landscaping that is evergreens and the same height as the box. As an alternative, the applicant could build a screen wall and use shorter landscaping plantings around the perimeter of the wall.

   **Applicant Response:** Acknowledged.

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5. Utilities close to the building or mounted on the wall shall be screened by an architectural wall or landscaping. The wall mounted utilities should be tucked in a corner and painted to match the building.

Applicant Response: Acknowledged.

6. Since this building has high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers should be designed so that they are reasonably screened and all downspouts shall be internalized.

Applicant Response: Acknowledged.

7. Trash enclosures shall match the building and use the same materials in its construction.

Applicant Response: Acknowledged.

8. Sec. 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. This distance is to be measured from the public right-of-way or curb line of a private easement.

Applicant Response: Acknowledged.

9. Sec. 27-577(b)(2) Landscape berms and/or continuous row of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

Applicant Response: Acknowledged.

10. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

a. One tree with a minimum caliper of two inches (ornamental), evergreen trees must be at least six feet tall when planted provided for every 30 feet of street easement or frontage.

Applicant Response: Acknowledged. The required tree plantings have been provided in the described landscape zone on Sheet L100 dated 4/27/2015.

b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Street trees within the right-of-way are part of the 98th Street realignment project by others.

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Lighting
1. All lighting should be decorative lighting and have 90 degree cutoff fixtures to ensure that residual light is not spilling across the property lines. Any light cast may not exceed one foot candle at the property line.
   Applicant Response: Acknowledged.
2. Exterior parking lot lighting shall have 90 degree cutoff fixtures.
   Applicant Response: Acknowledged.

Trail and Pedestrian Circulation
1. The 8' sidewalk that complies with the Sidewalk and Trails Master Plan must be completely installed upon completion of the realignment of 98th Street between France Family Drive and Parallel Parkway.
   Applicant Response: Sidewalk within the right-of-way is part of the 98th Street realignment project by others.
   Staff Response: The street project must be completed including landscape prior to any certificate of occupancy for this building.

Signage
1. Signs are reviewed separately and are not part of this approval. When the applicant is prepared to discuss on-site signage, staff requests that the applicant submit an overall sign package for ease of review. General monument sign location is shown on the site plan.
   Applicant Response: Acknowledged.

Public Works Comments Note: All a level comments were left in the report so that the planning commission could see the responses. Staff is only presenting b and c level comments for consideration at this time.
1. Items that require plan revision or additional documentation before engineering can recommend approval:

Note: A level comments items 1 and 2 are now provided as background information
A.) Submitted “Traffic Study” is under review by the County Engineer. Updated comments shall be forthcoming. Site Plan modifications are anticipated to be required.

Part I: Comments Applicable to Dairy Farmers of America Site
1. The plans submitted 3/27/15 continue to show traffic handling that is at odds with the prior planning 98th Street and with staff’s recommendations. After consideration of the past planning, the previous and current traffic study, the applicants request in the

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letter 3/26/15 from Van Trust Real Estate, and the UG staff professional opinion, we are prepared to move forward with Dairy Farmers’ entrances as follows:

a. We will accept the fourth leg of the 98th/France Family Drive (Drive 8 in Figure 3 of the study) to serve as the primary entrance as shown. The entering leg is to proceed no less than 150 feet before the first break for parking aisles – to accommodate the storage needed.

Applicant Response: The applicant requests approval of this entrance as originally submitted for the following reason: It is reasonable in most situations to require a throat distance (without any break for parking aisles) to accommodate the expected exiting traffic and to avoid conflict points of incoming and exiting traffic. This is very useful at land uses that generally have an equivalent split of incoming and exiting traffic. In the case of the normally operated office use of DFA, in both the AM and PM peak hours, this particular leg will have a heavily weighted split between incoming and exiting volumes. In the AM, significant incoming traffic and very limited exiting traffic at that same time is expected. Again, in the PM, significantly more exiting vehicles are expected with very limited incoming traffic. Because this significantly reduces the possibility for conflicts at parking aisles, a reduced throat length at this location is anticipated to more effectively distribute incoming AM traffic to the parking field.

Further, utilizing the longer throat would then force more vehicles toward the front drive and main building entry where we expect more pedestrian activity. Our goal is to distribute the vehicles into the site parking lot and reduce the number of potential pedestrian/vehicle conflicts as much as possible. To meet this goal, we believe a shorter driveway throat is needed rather than focusing the vehicles down the main drive and into conflict with pedestrian crossing areas.

b. We will accept Drive 9 (southern access) as a right-in-right-out only (RIRO).

Applicant Response: Acknowledged.

c. Drives 6 and 7 (northern access) are to be combined into one driveway located near the joint property line of DFA with the area north (called out as 6.25 potentially office use). This combined Drive 6/7 will then have a full break in access of 98th. This better serves both parcels and will allow the truck entry as requested in the Van Trust letter. This drive is to be designated via private easement/agreement to serve both lots. The split point between lots is to be no

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less than 150 feet from the edge of right-of-way to permit storage and maneuver (final distance subject to your revised analyses).

Applicant Response: The applicant is generally supportive of this solution, provided staff acknowledges the explanation in Item 1a above and rescinds its objection thereto. The applicant has entered into negotiations with the property owner of the adjacent parcel about the recommended shared access drive/associated easements that will be required, and anticipates including said solution in the Final Development Plan application.

2. The decision to proceed with Dairy Farmers at this time is contingent upon finalizing the other remaining access break questions along 98th so that we can confirm that the allowance made above can work together as a network. The attached exhibit shows the Public Works Department’s designation and requirements for all remaining entrances. This exhibit shows the result of careful consideration of public and private needs, and is considered our firm and final designation. The exhibit shows the disposition of individual driveways as shown below. Numbering of drives follows the convention given in Figure 2 of the 3/27/15 Traffic Study.

Applicant Response: While the applicant understands staff’s desire to consider the entire network, the applicant cannot control the outcome of or be subject to the duration of negotiations between the UG and other parties about off-site issues. Applicant requests approval for Access Drives 8, 9, and 6/7 as described by the applicant’s responses above.

2) Construction Plans shall be reviewed and approved prior to UG final approval and construction permit acquisition.

Applicant Response: Acknowledged.

2. Items that are conditions of approval (stipulations):

a.) Drives 6 and 7 shall be combined into one driveway near the joint property line of DFA with the future 62.5 acre lot to the north. This combined drive 6/7 is then allowed to have a full break in access of 98th. The minimum throat distance to any side drives shall be 150 feet from the right-of-way line.

b.) The main entrance opposite France Family Drive at 98th Street shall proceed no less than 150 feet from the right-of-way line internally until the first break for parking aisles.

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3. Comments that are not critical to engineering’s recommendations for this specific submittal, but may be helpful in preparing future documents: Public Works has accepted the applicants request to de-link their traffic issues from the other items still pending on adjacent areas of 98th Street. The Commission stated that the staff is authorized to negotiate the stipulations as needed with the applicant.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Petition Application #3087, subject to the stipulations. Roll call was taken and there were eight “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 130135...SPECIAL USE PERMIT #SP-2015-17 – LONNIE WASH

SYNOPSIS: Renewal of a Home Occupation Special use permit (#SP-2013-18) for a barber shop at 4001 Oakland Avenue, submitted by Rob Richardson, Director of Planning. The applicant is seeking to renew a home occupation special use permit for a barbershop out of his house. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2015-17, subject to:

Urban Planning and Land Use Comments

1. Are there signs present?
   Applicant Response: No

2. What is the number of employees?
   Applicant Response: One

3. Are there any employees that are not family members?
   Applicant Response: No

4. What is the maximum number of customers allowed on site at any time?
   Applicant Response: Two

5. What are the hours of operation?
   Applicant Response: 8:00 a.m. – 5:00 p.m.

Staff recommends approval for five years, subject to:

1. No signs.

2. No employees other than members of the immediate family residing on the premises.

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3. No more than two clients at any one time.
4. Hours of operation being 7:00 a.m. to 5:00 p.m.
5. Business license must be renewed annually.

Business License Comments

"This entity has not filed an occupation tax application with our office to conduct any business from the home. We would object to any renewal of a special use permit until they have filed and become current with our office."

Applicant Response:

Permit Number: 15980-00253
Receipt Number: 352788
Invoice Number: 670189

Public Works Comments

None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2015-17 for five years, subject to the stipulations. Roll call was taken and there were eight “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 2 – 150112... SPECIAL USE PERMIT #SP-2015-19 – STEVE BEAUMONT/KCAI LP DBA CHATEAU AVALON

SYNOPSIS: Special use permit for live entertainment at 701 Village West Parkway, submitted by Rob Richardson, Director of Planning. The live entertainment would be on the patio from 6 p.m. to 11 p.m. on Friday and Saturday nights. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2015-19, subject to:

Urban Planning and Land Use Comments

1. What type of entertainment will be performing at the hotel?
   
   Applicant response: Live bands on the patio, mostly acoustic sets.

2. Any approval will be for two years.

3. Live entertainment shall be limited to the patio from 6 p.m. to 11 p.m. any day of the week.

Public Works Comments

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1. Items that require plan revision or additional documentation before engineering can recommend approval: None.

2. Items that are conditions of approval (stipulations): None.

3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2015-19 for two years, subject to the stipulations. Roll call was taken and there were eight “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 3 - 100152... SPECIAL USE PERMIT #SP-2015-20 – MICHAEL MORSE/QUICK AUTO SALVAGE AND TOW

SYNOPSIS: Renewal of a special use permit (#SP-2012-54) for an auto salvage yard and police tow at 1124 Pawnee Avenue, submitted by Rob Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2015-20, subject to:

Urban Planning and Land Use Comments

1. Where do the truck drivers park the trucks at night?

   Applicant Response: Trucks will not be parked on this site. No trucks are owned by this operation.

2. If they are parked within the boundaries of Kansas City, Kansas, have they obtained a special use permit to do so?

   Applicant Response: Truck drivers are independent owners and will need to obtain their own special use permits if parked within the Kansas City, Kansas boundaries.

3. Any approval would be for five years.

   Applicant Response: Five year renewal would be acceptable, but owner would prefer a ten-year renewal.

Staff recommends the applicant demonstrate that each independent truck driver holds a Kansas City, Kansas business license and special use permit. Applicant has three months to provide documentation showing that truck drivers have the necessary special use permits to park vehicles.

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within city limits and are current with business licensing or the special use permit will automatically terminate. This will require each driver living in Kansas City, Kansas, to apply for a special use permit to park their vehicle at their home by May 29, 2015, or find commercial parking arrangements.

Business License Comments
The entity is up to date with their home occupation tax as well as their regulatory scrap dealer license.

Public Works Comments
None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2015-20 for five years, subject to the stipulations. Roll call was taken and there were eight “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley.

Commissioner Murguia rejoined the meeting at 7:09.

PLANNING AND ZONING NON-CONSENT AGENDA
SPECIAL USE PERMIT APPLICATIONS
ITEM NO. 1 – 081023... SPECIAL USE PERMIT #SP-2014-80 – RYAN DENK WITH MCANANY VAN CLEAVE & PHILLIPS

SYNOPSIS: Renewal of a special use permit (#SP-2012-56) for live entertainment in conjunction with the Wine Barn at 2850 North 119th Street, submitted by Rob Richardson, Director of Planning. Noah Hiatt and his daughter are members of Wine Barn, LLC requesting renewal of a special use permit to have live entertainment in conjunction with a small farm winery at 2850 North 119th Street. The Planning Commission voted 7 to 1 to recommend approval for six months of Special Use Permit Application #SP-2014-80, subject to:

1. Approval for six months (basically this summer as another test for them to fully comply)
2. Live music events (which includes the 4 contracted weddings for 2015 and any others contracted) from May-October.
3. 57.5 DB at the big tree near the Reynolds’ property line. The responsibility for monitoring this belongs to the applicants.
4. Live music ends by 9:30 and the Wine Barn coordinates its calendar with the neighbors

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5. No guest parking on 119th Street
6. Parking is constrained to the size of the event according to staff.
7. No parking adjacent to the Reynolds’ property
8. Improved parking is not required but must comply with storm water quality regulations.
9. No rock bands
10. No more than 14 events per year totaling no more than 35 hours
11. Any new drives must be paved
12. Collect trash on 119th Street after each event
13. Use of fire hydrant only with meter and it may never have its view obscured
14. The Wine Barn will add two new segments of fencing.
   a. Wine Barn to extend an fence (not necessarily a privacy fence) from the southeast corner of the Wine Barn to the vineyard or beyond to make it difficult for patrons to come near the Seebergers’ property
   b. Wine Barn to extend a 6’ privacy fence from the northeast corner of the Wine Barn east to the east edge of the drive to the pond (and beyond if necessary) to block the view of the parking area from the Seebergers’ property. This will also prevent interaction between neighbors and guests.
15. Conform to UG security policies for events with alcohol and entertainment.
16. The parties are to communicate via email not in person. Mr. Denk and Mr. Richardson should be copied on communications.
17. Request the County Administrator waive application fee.

Ryan Denk, McAnany, Van Cleave & Phillips, 10 E. Cambridge Circle Dr., said I’m here representing the applicant, the Wine Barn, and specifically the applicants are Scott and Denise Hiatt and Brian and Celeste Mikijanis. I don’t have a lot to add from what happened at the Planning Commission. We are in agreement with all of the stipulations. The only thing I would add is we did have a meeting with Mr. Richardson yesterday where we went through and discussed and agreed upon all of the fencing and everything that was going to be laid out there. Really, I just stand for any questions.

Mayor Holland opened the public hearing.

No one appeared in favor.  

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Mayor Holland said we do have an email that came in. I haven’t even read it. Is it for support? Commissioner Walker said it’s from Rachel and Jeff Miskee and they support the application. A little bit of dialogue about having heard they were in opposition and she wanted to make clear that they were not in opposition and they are in favor.

No one appeared in opposition.

Mayor Holland closed the public hearing.

Commissioner Kane said I guess I am a little bit frustrated. I’ve worked on this project more than I worked on the development on 110th & Parallel where there are 2,000 jobs. We put staff through the ringer. Multiple phone calls — the phone calls from the republicans, which I didn’t like, at the state level asked me what I’m doing. Why am I not protecting the Wine Barn? I’ve never been opposed to the Wine Barn. There’s one thing in common that’s happened. We have a fight. We’re at the school and we fight. We settle that fight, we get done, we go back and we say we’re going to do it this way and then we get stipulations that you guys are given that say you got to do it this way, and then you’re comments were that wasn’t the way we see it.

Now we have new neighbors move in and then there’s another fight. They said they don’t like this and they don’t like that. I make a recommendation about putting up three panels of fence, which is in the record there so nobody can see it. It will help with noise protection.

I want you to thrive out there. What you’re going to do this time, and I mean this because this is the last time I’m going to ask the Commission to support this, you’re going to follow it to the letter of the law, every single time, every single meeting, everything that you do out there and if you don’t do it, I’ll be the first one that comes out there and says we’re done and it may not make it until December. With that being said, I make a motion that we push it forward. If they do something wrong, we’re going to remove it.

Action: Commissioner Kane made a motion, seconded by Commissioner Walker, to approve Special Use Permit Application #SP-2014-80 for six months, subject to the stipulations.

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Mayor Holland said I would like to ask, because, Commissioner Kane, I think you’re accurate. I have been an advocate of the Wine Barn. I have also been an advocate of working out the situation with the neighbors. We did have a number of stipulations for the previous one. Mr. Richardson, in your opinion, were the stipulations met for the last special use permit. Rob Richardson, Urban Planning and Land Use Director, said for the period of the previous approval, I don’t believe that the stipulations were complied with. Mayor Holland asked and how long was that previous approval given for. Mr. Richardson said one year. Mayor Holland said they had a one-year special use permit and they had stipulations in there that included things like — do you recall off the top of your head what the previous stipulations were. Mr. Richardson said they were very similar to the 14 that our included this time. There were a couple of others that we’ve removed. They’ve already been done. I believe there were more live music events than were allowed. There was testimony from the neighbors at different occasions that the sound level may have been above what it was supposed to be. Those are the two that I can recall off the top of my head, Mayor.

Mayor Holland said it is troubling, and I share Commissioner Kane’s frustration, because we’ve spent a lot of time on the Wine Barn. It is frustrating when we do offer a special use permit in good faith for a year and then those stipulations are not met. It’s also frustrating that I learned that you were cited for theft of water from a fire hydrant, formally cited for that and paid a fine to the Board of Public Utilities in using the water apparently to water the vineyard. I know there are other allegations about that are unsubstantiated. It bothers me that we go to bat to try to get you a special use permit.

I know Commissioner Kane specifically has spent a lot of his personal time on site trying to negotiate a settlement that would be acceptable to the neighbors and to you, and the stipulations aren’t met and there are other issues as well. I don’t know of many other circumstances when people don’t meet the stipulations that they’re given that they actually get a renewal of a special use permit. This is for six months.

I will say, I was sympathetic to the issue that even despite having a special use permit, you booked weddings. Because I participate in weddings often, I’m sympathetic to not tell brides that the group screwed up and shouldn’t have booked weddings that they didn’t have permission to book. I know it would be my phone that rang if I told the brides that they didn’t get to have their wedding and I didn’t want that. I think there was a negotiated settlement for six months.

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I'm very hesitant to support this just because it has not felt, from my perspective, to be a good faith effort that has been given by others. I think the six months to get you through the summer, I know you have some weddings. I personally don't want to cancel weddings. I think that is problematic. I also think that if these stipulations aren't met, we don't have to wait six months to pull this permit. I personally will not hesitate as well to pull the permit by the end of the summer if it's not met. It's enormously frustrating and you use up a lot of good will when we worked genuinely to work with you and to not make that happen. I'll make the same statement. It has been properly moved and seconded but I wanted to make that statement before we voted.

Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

**ITEM NO. 2 – 150113...SPECIAL USE PERMIT #SP-2015-21 – TARA KNIGHTON-HARRISON**

**SYNOPSIS:** Special use permit for four to eight chickens at 6730 Speaker Road, submitted by Rob Richardson, Director of Planning. The request is to aid in therapies for her special needs foster children. The Planning Commission voted 7 to 1 to recommend approval of Special Use Permit Application #SP-2015-21, subject to:

**Urban Planning and Land Use Comments**

1. Please create and submit a plan for how to deal with waste from the chickens.
   Applicant Response: I will be moving the coop on a monthly basis minimum utilizing the chicken tractor. The waste will be removed and put either in my compost bin or directly into my plants/garden. If I have excess that I am unable to use, I have friends in the area who have expressed that they would like chicken waste for their gardens also.

2. Please address the issues of feed storage and where the coop will be located.
   Applicant Response: All food will be stored in an enclosed container in the laundry room of my home closest to the back door and the proper amounts taken to the coop daily.

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3. Please provide photos of the property, specifically where the coop will be built.
   Applicant Response: Provided.

4. Approval would be for two years.

Public Works Comments

1. Items that require plan revision or additional documentation before engineering can recommend approval: None.
2. Items that are conditions of approval (stipulations): None.
3. Comments that are not critical to engineering’s recommendations for this specific submittal, but may be helpful in preparing future documents: None.

**Tara Knighton, 6730 Speaker Rd.**, said all I’m asking for is permission to have between four and eight chickens so that I can use them as sort of therapy with some of the special needs foster children that I have coming in and out of my home and also nap and other things. I’m here on good faith because I know that if I don’t get a permit that I’m breaking the law. KDHE is in my home quite often so are all the other foster care agencies, and I like to stay legal.

**Mayor Holland** opened the public hearing.

No one appeared in favor.

The following appeared in opposition:

**Frances Jones** said thank you, commissioners, for giving me the opportunity to speak and give my opinion why I disapprove of the chicken manure project. My husband and I are both not in good health. My husband has congestive heart failure and this chicken manure coop is not healthy to the heart. It can cause sickness if it’s not cleaned up like it’s supposed to be. It has antibody resist and bacteria. It’s also found in chicken manure. The bacteria is called staphylococci. When these bacteria affect the food or water supply of humans, it can infect the digestive system of people. I have asthma. I have allergies. My husband has congestive heart failure. We’ve been there 50 years. We live at 6726 Speaker Rd., Kansas City, Kansas. We built the house in 1965 and we take care of our property and yes, we did have animals at one time back in the grandfather clause and we had several. We had chickens and everything, but we always cleaned up everything every night, every day, we fed them right, we took care of them. We had peacocks, we had ginnies, we had wild turkeys come to our house.

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There are a lot of predators around the area. There’s raccoons, there’s foxes, there’s deer, there’s wild turkeys. I am opposed, me and my husband, because this is going to make our value of our house go down just because somebody wants to put chickens in. I have no problem of the chickens being put in if they were put in the right area of the acre of ground, but no, they have to be right in behind her house and Mrs. Harrison only plans to move them once a month. Once a month is going to bring a lot of stink. There’s going to be flies, there’s going to be enough mosquitos as it is because of the weather. Flies, stink, we get stink from that house as it is because of the septic tank.

We’ve been at our house 50 years. We’ve watched water go under that house and out the front. It is on a slab of concrete and it has no basement. It has a crawl space.

We’ve seen a lot and the weeds are constantly growing up all the time. I have no problem with Mrs. Harrison wanting these chickens, but they should be in the right place and they’re not.

We have two houses on Speaker Rd. We do not want to have to deal with this. We deal with enough from this lady and I don’t want any problems. I want to live my golden years in peace and we’ve not been able to live our years in peace because since she moved in in 1997, 1998, we’ve had nothing but problems.

She’s stalking me all the time with a camera and I don’t appreciate that because for the simple reason I shelter cats because I take them in. I take care of them. I get them their shots. They come to my house, I take them in. I don’t want to see them killed. I love animals. I always have.

I have no problem against these chickens except I don’t want all the stink, I don’t want all this other stuff. We’ve got an acre and three quarters to our house and when we had chickens and stuff, we put it to where it didn’t bother nobody. It’s whatever but I don’t feel that it should be put next to our house like it is. Thank you very much for listening and I appreciate it very much.

No one else appeared.

Ms. Knighton said the only response I have is as we discussed in the last meeting, the chicken coup will not be arranged anywhere near her property. It will be on the opposite side. It is moved once a month to stop the erosion and to make sure that there is fresh grass. It will be

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cleaned. It will be maintained. It will be inspected. If the chickens are causing issues, I would also announce so do cats and so do the 25 - 30 turkeys we have in our backyard every night.

**Mayor Holland** closed the public hearing.

**Action:** Commissioner Bynum made a motion, seconded by Commissioner Murguia, to approve Special Use Permit Application #SP-2015-21 for two years, subject to the stipulations.

**Commissioner Walker** said you stated it was going to be inspected. **Ms. Knighton** said in that, I’m working with 4H chickens program to help me make sure that I’m doing it right. I’ve never had chicken so they’re coming out once a month to make sure that I’m doing it right and working with the children. Like I said, I’m a foster parent. Every kid I have in my home has somebody comes to my home once a month. Some kids have nurses, they have physical therapy, occupational therapy, so what I’m saying is, there are state personnel in my home minimum of four times a month that if there’s an issue, KDHE will be called in a heartbeat.

**Commissioner McKiernan** said I just have one question. What’s the physical relationship of the house of the woman who just spoke to your house? **Ms. Knighton** said if you look at the video, my house is on the left next to the 200 empty acres and her house is to the right.

**Mr. Richardson** stated, Commissioner, the way she described it, the coop would move up and down this tree line on the left side of the property.

**Commissioner McKiernan** asked what’s the frontage of that lot, Rob, do you know. **Ms. Knighton** said I believe it’s 150 across and 375 deep. **Commissioner McKiernan** said thank you.

**Commissioner Walker** said, Mayor, as you know, we do have a chicken expert on this Commission. Perhaps we should ask Commissioner Murguia to weigh in.

**Commissioner Murguia** said so I have three chickens as Commissioner Walker has announced. I also have a special use permit. I don’t have any smell. My unit is not even mobile; it stays in May 28, 2015
the same spot. I have no smell. As long as there is no rooster, there's no noise. Hens don't make any noise, I don't know if you know that. I think it's an admirable thing you're doing. They're probably not going to be a fraction of the work that the children you take care are.

Roll call was taken and there were nine "Ayes," Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 3 – 150114...SPECIAL USE PERMIT #SP-2015-24 – WIL ANDERSON/BHC RHODES

SYNOPSIS: Special use permit for a cemetery at 8350 Leavenworth Road, submitted by Rob Richardson, Director of Planning. Due to the fact that proper ceremonial burial for Muslims in Kansas City is limited, the church would like its own 150 plot cemetery.

Urban Planning and Land Use Comments

1. Compliance with Kansas State Board of Mortuary Arts as applicable.
2. How deep are the bodies buried? Is that above the water table on the property?
3. How will each grave be marked and located?
4. Provide a map of burial plots.
5. Will these burial plots be sold?
6. Please explain the long-term care and maintenance of the cemetery.

Applicant's Response

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5. Will these burial plots be sold?
6. Please explain the long-term care and maintenance of the cemetery

**Applicant's Responses**

**April 27, 2015**

**Responses to Draft Staff Comments on AZ-Zahra Center Cemetery Application**

In response to the draft Urban Planning and Land Use Comments:

**Item 1. Compliance with Kansas State Board of Mortuary Arts as applicable.**
   a. Yes, Joel Brinkley manager of Chapel Hill will be their consultant.

**Item 2. A. How deep are the bodies buried?**
   a. 6 feet below ground level.

**Item 2. B. Is that above the water table on the property?**
   a. PSI were contracted to carry out soil borings on the property and their report was provided February 13, 2014. All borings were to a minimum of 10 feet. The borings were to determine whether rock was encountered and a general report on the applicability of the site for burial. Moisture was encountered in two borings in the south west of the site but was at or around the 10 foot depth. The remainder of the site no water was encountered.

**Item 3. How will each grave be marked and located?**
   a. The headstone shall be placed flat on the ground such that it would not protrude from the ground more than the thickness of the stone. This is for the ease of mowing and maintaining the ground around it
   b. Plots will be surveyed and marked to enable location of specific plots from the final plat.

**Item 4. Provide a map of the burial Plots.**
   a. To be provided. The current submittal shows the approximate location and siting of the plots.

**Item 5. Will these burial plots be sold?**
   a. The burial expenses, including preparation, digging, cost of the plot, will be set by the AZ-Zahra Board based on feedback of the community. The cost will be published once a year unless no changes have been made.

**Item 6. Please explain the long term care and maintenance of the cemetery.**
   a. As to maintenance, there will be held in escrow $500 for each plot sold in a restricted account that only 2 people will have access, one being the UG treasurer. Rob, again, these are all people that will be interred and have local family. The possibility of an abandonment of the property is very unlikely given the investment in the structure, congregation and local family pressure to maintain the cemetery.

**STAFF COMMENTS AND SUGGESTIONS**

The staff concurs with the recommendation of the City Planning Commission.

#SP-2015-24 May 28, 2015

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Wil Anderson, BHC Rhodes, 901 N. 8th St., Kansas City, KS, representing the AZ-Zahra Center, Inc. in their petition for a private cemetery at the location at 8350 Leavenworth Rd., Kansas City, Kansas.

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That's just an aerial view of the AZ-Zahra Center. You can see the building of the front. The red band with the yellow box is the location of the proposed private cemetery in the back. One of the questions we had had was whether the cemetery is visible from Leavenworth Rd. As you can see, the ground rise away. You can just see the building between the trees and the cemetery is behind that.
Some of the things that we had to look at were whether we were compliant or in compliance for the private cemetery within both the Unified Government and the actual Kansas state requirements. The things that we’ve stated before we fully have been complying with the Kansas State Board of Mortuary Arts.

One of the issues with private cemeteries is what happens in the long-term if the congregation moves on or the church shifts. What we are putting in place is an account that’s signature shared with both the UG and a member of the AZ-Zahra Center Board for each plot that’s available. There will be a $500 kit for that and if you look at 150 plots, were up at $75K. For the long-term care on a small private cemetery, this is fairly good.

The plots need to be able to be defined by the recorder of plats so they’re all able to be defined by the recorded plat. The recorded plat is the second part of this if a cemetery rules and regulations have been established. At this stage, they’re just in an early stage. In some of the handouts you’ll see the rules that they have currently got in place. One of the other things we did was did soil samples and took evaluation to make sure that we could a) bury the bodies and b) where are the aspects of the land itself.
The second part of the investigation was really to see whether we could meet the requirements of the AZ-Zahra Center community. It’s an Islamic congregation and they do have some requirements. The Islamic burial, and you can see that in one of the handouts that we’ve given you that all plots are aligned to Mecca.

We needed to meet a need for 150 plots. If you can average that out, in the past two years the congregation—the cemetery is limited to those people that are members of the congregation or their close family. We’ve figure that for a year or for two years will put that out to 75 years so we don’t expect that to go out of play. One of the other things was all of the plots are the same size, four foot by ten foot. It has to be easy to maintain. They’re a community organization so even the headstones will lie flat to the surface. They just stick a little bit above the actual ground level so they can maintain that. The other thing is that the actual area for the cemetery sits back from each of the adjoining boundaries by 25 feet and that will be landscaped between the boundary and the actual cemetery itself not only to provide privacy for the neighbors, but also for the cemetery itself.

One of the things that we wanted to get across was the fact that this has been a long process. Our initial meeting with AZ-Zahra Center was back in September 2012. We met not long after that with Rob Richardson just to discuss what we were trying to get to do just to make sure that we could comply with what he felt was the issue. The meeting was essentially between Pete Peterson, a long-time attorney in the Wyandotte area, and myself and Rob Richardson. We then basically put together a team to step back and look at all of the requirements that we might need both from the local government, the state government and the AZ-Zahra community itself. The AZ-Zahra Center Board provided a member; he’s here, Mr. Agha, to add comments. We went through the process initially and then as part of our process, we obtained a neighborhood listing from the UG Planning Department of all those people that were likely to be asked as a result from the formal application process.

We held a neighborhood meeting in effect and we had some neighbors come along. The people we invited along to answer questions included Pete Peterson from the attorney’s side, Joel Brinkley from the Funeral Director’s side, the AZ-Zahra Center Board. We also invited along Chris McCord, a local appraiser because there was some concern about whether property values would be affected by this application. We answered all the questions that they had and then moved forward. On most concerns we further developed the requirements and determined the information gaps, followed through with the Geo-Tech work and then entered into the formal application process earlier this year.

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At the Planning Commission, there were questions raised about the property value. There was a letter from an apartment across the road from the AZ-Zahra Center. I asked Chris McCord, he’s an appraiser in this area, for comments. He’s provided comments on that in the letter and basically saying that there should be little or no effect to the property values in the surrounding area. There was some questions regarding a Geo-Tech information whether there was water within that, where was the water table. The Geo-Tech drilled to 10 ft. in about eight or nine locations around the area. They found no standing water. There was moisture in the soil. It is a clay soil, but basically the interest for us is that there was nothing that would stand out, especially the water table.

Long-term maintenance was a concern. As I said, each of the plots will come up with a $500 that would go into escrow and be under the long-term control which handles that. The cemetery itself or the proposed cemetery should be easy to maintain and the AZ-Zahra Center currently maintains their property in good condition.

Compliance with state requirements. There were some questions about whether we complied or not. We have stated that we complied with state requirements. We have a funeral director, general cemetery manager, on the team and he advised us and kept us on line for what we may or may not have to do. Part of that is in one of the handouts. We’ve set aside a procedure. He is set up basically to say this is how they would run and how the AZ-Zahra Center basically takes part in that procedure.

The final was the Islamic burial rituals and you can see on the back page the same thing, the basic requirements for those rituals.

Our next step is to obviously seek approval by this Commission. If we get approval, to establish these agreements and documentation in place and that includes recording of the plat and then hopefully the private cemetery comes into operation.

Just so you know, that it was a broad based in terms of the people involved, AZ-Zahra Center, they had board and congregation representation so we weren’t going outside their bounds. Pete Peterson, the attorney, who’s recently done some work on some of these trustees public and private cemeteries; Joe Brinkley, who is the Cemetery General Manager and Funeral Director within the Wyandotte County area; Chris McCord, who is a local appraiser; myself, and then PSI with Geo-Tech on this side who, again, do a lot of work for us.

Commissioner Bynum said the question I have is $500 per burial plot for—Mr. Anderson said just for the maintenance; the long-term maintenance. It does not include—I’m sorry, finish your
question, I apologize. **Commissioner Bynum** said times 150 plots. **Mr. Anderson** said yes. **Commissioner Bynum** said $75,000 and I just—I guess my one and only concern is what authority would the Unified Government have over a private cemetery. I think I understood you to say that money would be held—**Mr. Anderson** said in escrow. **Commissioner Bynum** said for that purpose of maintaining. **Mr. Anderson** said that’s right in the event of the cemetery faulting. **Commissioner Bynum** said and when that money was gone because that just doesn’t sound like very much money to me to maintain the cemetery.

**Mr. Richardson** said the intent would be that while the church is there and operating that they would maintain that without touching that money. That money would be there in case in the future that the congregation move and there would be no one there to maintain it, or the congregation would go away then that money and whatever interest it had earned over time would be available for us to use, theoretically, the interest off that, on an annual basis to maintain the cemetery. **Mayor Holland** said because it is important, I think, to point out, correct me if I’m wrong, I’ll ask my Legal staff to correct me if I’m wrong, I believe by state law, if a cemetery goes under as it were; if a cemetery goes bankrupt, dies, or something, if a cemetery goes under, then it defaults back to the county to maintain. Is that right? **Commissioner Walker** said yes. **Mayor Holland** said we currently maintain a number of formally private cemeteries. **Commissioner Walker** said they were more than adequately funded, so the representative said at the time, but somehow the trust money always seems to disappear. **Mayor Holland** said so I think it is an apropos question but the idea is the $75,000, when it’s full, and if the congregation leaves and there is no one to care for it, that money would go to the city, or the county in this case, the Unified Government, to maintain. Does that answer your question? **Mr. Richardson** said, Mayor, the other thing would be that agreement isn’t drawn up yet so we would have our attorneys work with Mr. Peterson to draw that up so that we would be protected and the trust money couldn’t be used without UG approval.

**Commissioner Walker** said I’m always a little bit curious when groups make application or seek some kind of special use permit and then they never show. You’re here, you’re clearly not part of the congregation I don’t think. **Mr. Anderson** said as I said, one of the board members—**Commissioner Walker** said I’d like to ask them some questions.

Jameel Agha, Paola, KS, member of the Board of Trustees of the AZ-Zahra Center appeared. **Commissioner Walker** said has the Board of Trustees done any financial analysis by May 28, 2015.
a CPA or somebody to address the question of Commissioner Bynum. I, too, am a little concerned about the—it’s a pailtry amount when you’re talking about maintaining a cemetery in perpetuity. Once it’s there, it’s going to be there forever. As the Mayor has indicated, we are now obligated, the taxpayers of Wyandotte County are now obligated to take care of a certain number of cemeteries because the trust funds have run out and there is no board any longer. Whatever board there was has dissolved or disappeared.

I’m certainly not a financial analysis but it does seem to be somewhat of a modest amount to say to the commission, you’re going to maintain this cemetery in perpetuity with $75,000. I don’t see it happening. The question is, did you have anybody run numbers for you as to what amount you should levy for perpetuity? How does this compare—I know what it compares to in terms of what I’ve paid for plots at other cemeteries and it’s not close. I would say have you had any financial advice on what you should be charging? Mr. Agha said our attorney had done some research on what the initial amount should be set-aside and he thought that was a very good number. He’s spoken with other people in this business and we took his recommendation. If the board has other recommendation, we’ll definitely be—Commissioner Walker said I’m not in a position to advise you on that. I’m just saying I am personally aware of what fee I had to pay for a couple of plots and it was a lot more than what you’re projecting. I’m not anymore certain they’re going to maintain it in perpetuity than I am your church is.

Mayor Holland said let me do this too. I started with questions and I should have probably opened up the public hearing first and then come back to the questions. I got a little out of order here.

Mayor Holland opened the public hearing.

The following appeared in support:

Joel Brinkley, 701 N. 94th St., said I came up to help out with Commissioner Walker’s question. It’s pretty much in line. ECF Endowment Care Fund is what Chapel Hill pays because we’re not a private cemetery. It’s 10% of what we sell a space for. $500 is kind of high actually because I have very few spaces that are $5,000. The reason the state of Kansas doesn’t require the private cemeteries to do that is because they realistically, the chances of them ever being abandoned is very small because you’re talking about a community who has reached out and these are their relatives and their friends. It’s like your little church cemeteries you’ll find out in the counties.

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There might not be anything for miles but there’s somebody there that takes care of that cemetery every day.

I believe that everybody is in agreement that the chance that’s ever going to happen is minimal. The reason it’s more feasible in a situation like Chapel Hill or Mount Calvary or Highland Park and those situations, is once all the spaces are sold and we have no more space to sell, there’s no way to produce the income which they will still have a community that produces income through tithes and things like that.

No one else appeared in support.

The following appeared in opposition:

Michael Baska, 6300 Parallel Pkwy., said I came in opposition to this. I am highly against it because of from what I understood from the last meeting, which I tried to get minutes on too online and I’ve not been able to get. From what I’ve gotten from the last one is that I’ve heard that the caskets are made for water flow to flow through. That is not true. I live in a funeral home family and drilling holes is not common practice. I’m also worried about the ground water contamination. I heard there are only two soil samples versus the eight to nine, and that there was water found at 10 ft. That’s only a four-foot gap. If you look at the weather going on now — you can look at Houston. Their graves are popping out of the ground so that shows that there are no holes that drill threw. That’s also desecration of a body; desecration of a grave. The air pollution and the soil degeneration—if there is no tarp or any incasing around that, there is nothing that I have heard of any process of anybody checking on any bodies with communicable diseases if they have anything that can catch on. Kansas law states by the Kansas Board of Mortuary Arts that requires encapsulation and that’s got to be checked before burial. I haven’t heard anything of that. From what I understand, it’s directly ground burial. There’s no encapsulation so I’m really concerned of when the body decomposes. In 30 days, it’s going to get into the soiled water. I also know that when a cemetery is put in, it’s normally not—it does change. It changes the property value, it decreases it actually quite a bit from my understanding from what I’ve seen. That’s basically what I have.

No one else appeared in opposition.

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Mr. Brinkley said I included in the packet that you got there that the committee plans on using a funeral home to facilitate the burials there and cemetery. It's up to the individual funeral home, the licensed funeral director, to know what to do in the rare case that there would be something that would be communicable or contagious.

Kansas does have a requirement to notify the funeral home if a person has been diagnosed with a communicable or contagious disease so we're aware of that. The two options, yes, in that case, become either to embalm the person or to encase them in a hermetically sealed box which they would need to choose one of those two options if that were the case. It's not up to the community to do that, it's up to the licensed funeral director to know that.

You have to call a funeral home anyway. The community couldn't process a death certificate themselves anyway. Without a funeral home involved, there would be no death certificate, there would be no record to be able to get insurance and things like that so.

As far as the holes, Mr. Baska wasn't at the meeting. I think he's heard it second, third, maybe fourth-hand. What I was saying was some of the—and I'm sure he's familiar with Clark Vaults, I would hope, that have no bottom in them. They are the lower costs outer burial containers. What they do, they do have openings in the bottom to let the water back out as it comes in otherwise the box would become filled with water and never drain out. The reason that is, the purpose of an outer burial container is not necessarily to encapsulate or hold anything in or anything out. The main purpose of an outer burial container—the reason we require it at Chapel Hill is strictly landscaping purposes. It's designed to hold the weight of the earth. If we didn't have that, eventually the ground would cave in and we'd have to come in after the grass is already growing and the sod was established and put new dirt and new grass down.

Mayor Holland closed the public hearing

Commissioner Johnson said I would like to preface my comments and questions with due respect to the Muslim community and the appreciation for the need to have a location to properly bury their dead. I share in the same concern relative to the perpetuity of the operations, particularly the management of said facility. We know that there is a fund that will be established. I agree with comments that have been made by Commissioners Bynum and Walker relative to what I would consider a meager amount. Even at $75,000, how long would that last?

There seems to be some predisposition toward the dissolution of said facility or cemetery. With that in mind, it makes me wonder why there are maybe it's just putting the cart before the May 28, 2015
horse—why there were not numbers to kind of justify this that were provided with this packet. It causes me to ask the question, even at 150 plots that you’re saying over 75 years, four burials per year, is there really a market for this type of facility to support that?

The congregation, is this one congregation, or is this multiple congregations that we would be looking to as the market to be able to continue to have this going on so that we don’t have this discussion about whether or not the county can support this. I don’t think we should even be having that discussion. If that’s part of the discussion, I don’t know that we need to be even talking about this. There needs to be data that will support the perpetuity of this. Just by using numbers such as $500 times 150, I don’t think that really cuts it. What data are you utilizing to justify that there really is a market for this type of facility? Mr. Anderson said the issue is the difficulty—the goal was to provide an Islamic cemetery that meets their requirements. The set-aside of the $500, how the $500 was judged, was is basically upon using the same perimeters they use for public cemetery where the figures are much higher. The figures that we have set are basically set by that perimeter. How do judge that figure, if the $75,000, if the church is there, they are maintaining, that amount is not touched. The $75,000 basically continues to grow as the people are buried. I guess the danger is that if the cemetery falls before all are buried, then you don’t end up with the $75,000. In essence, the other thing to consider is it is one of the only Islamic cemeteries—it would be one of the only Islamic cemeteries available. To maintain a private cemetery aspect of it the aim was to basically keep it within the congregation and the close family members. It wasn’t to be opened up to the general public because it was not a public cemetery. It was not aimed to be a public cemetery. I realize the number $75,000 may seem small but if it’s held basically under the control of both the UG as a signatory on the account or the trustee account and the board on the other side, then there’s that amount there in terms of how long that would maintain it. I’m not sure how you could judge that. Basically, it becomes similar to a family cemetery or similar to as Mr. Brinkley said, like the country cemeteries. They are still maintained no matter who is there just because of the family history of those places.

Commissioner Kane said obviously I’m not the religious leader of this group. I read this thing. We get the packet on Monday and I read it twice on Monday because I thought it was unusual that a religion wanted to take care of their folks in their very religious way and to honor the body by burying it in what they consider going on to a better place. I made sure that all this stuff fell inside the state guidelines as I was looking at it because I’ve never seen anything like this before.

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As I'm reading it, they put a shroud over them. The females get five pieces, the males get three pieces.

I don't know if this cemetery is ever going to fill, but I sure would like it if I had a religion like that that I could be buried right by my church, right with my family, right where they would want me to be. Every time I go to church service if I want to walk out the back I could go see them. I go see my mom a lot. It's about 25 miles away. It sure would be handy just to walk out the back of one of the churches and say, mom's back there. I know this is unusual. It's completely unusual and I would be for something like this.

**Doug Bach, County Administrator,** said our current cemeteries that we have about 12 to 13 that we maintain in the county now. As you noted earlier, per state statute it requires counties to take them over when they've been abandoned. We spend a rate at about $1,000 an acre. We contract for most of them today so that's our cost. The $75,000 that they've placed in trust is one that all depends what kind of interest rate you're going to get. It's assuming you need to put an amount of money in trust that you would never touch the principal on it. This is 3.79 acres so if you had 5% interest rate, you would get approximately enough to cover that. **Mayor Holland** said based on $1,000 an acre. **Mr. Bach** said based on $1,000 an acre and then you would assume your money probably grows a little bit. We don't have a cost-of-living index that hits us at 5% a year for the cost of mowing, so assuming it would bill, probably beyond that amount per principal base over and above what cost-of-living would be a year.

We haven't set out anything as far as this agreement where this money goes from a trust and it all goes in at that point. In a long-term investment, we could probably hit that kind of interest rate and there would probably be enough there that just seems like it would be close to that amount but it's nothing we've ever projected before.

**Action:** Commissioner Bynum made a motion, seconded by Commissioner Kane, to approve Special Use Permit Application #SP-2015-24, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

May 28, 2015
REGULAR AGENDA

MAYOR'S AGENDA
No items of business

NON-PLANNING CONSENT AGENDA

Mayor Holland asked if there were any set-asides on the Non-Planning Consent-Agenda. There were none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Non-Planning Consent Agenda. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

Mayor Holland said I will say now, I didn’t want to pull it off the Consent Agenda, included in this Consent Agenda was a grant application by our Police Department to look for bodyworn cameras for our Police Department. That’s an issue we’ve been looking into. The Commission agreed that it’s something we’re interested in but we’re going to need some financial help to make it happen. This begins the process. The next day after the Commission had the conversation that the grant application became available through the Department of Justice. We’re now applying for that grant. Should we receive that grant, we will ask Chief Ziegler to put together a program to help us understand the full costs because the cost of the cameras is only the beginning of the costs in terms of implementing such a program. I have gone on record to say that I would be fully supportive of leading the region in implementation of this new technology to protect our sworn officers as well as our citizens. It holds great potential. It’s not the end all, but it holds great potential and that application was on the Consent Agenda.

ITEM NO. 1 – 150117...RESOLUTION: OPERATION GREEN LIGHT TRAFFIC CONTROL

SYNOPSIS: A resolution approving a cooperative agreement with Mid-America Regional Council (MARC) to fund operations of the Operation Green Light (OGL) Traffic Control System for 2015-2016, submitted by Lideana Laboy, Public Works. On May 18, 2015, the

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Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-32-15,** “A resolution authorizing the Unified Government of Wyandotte County/Kansas City, Kansas to enter into the cooperative agreement for funding operations of Operation Green Light Traffic Control System.” Commissioner Kane made a motion, seconded by Commissioner McKiernan to adopt the resolution. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

**ITEM NO. 2 – 150102...RESOLUTION: MERRIAM LANE, WEST 36TH TO 24TH ST. IMPROVEMENTS**

**SYNOPSIS:** A resolution approving an agreement with the city of Overland Park, KS, for the public improvements on Merriam Lane, West 36th to 24th Street, submitted by Bill Heatherman, Public Works. The UG initiated this project and will pay all costs. On May 18, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-33-15,** “A resolution authorizing the approval of the agreement between the Unified Government of Wyandotte County/Kansas City, Kansas, and the city of Overland Park, Kansas, for the public improvement of Merriam Lane, West 36th to 24th Street.” Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

**ITEM NO. 3 – 150132...GRANT: BODY-WORN CAMERA PROGRAM**

**SYNOPSIS:** Request to submit a grant application to the Department of Justice to implement a Body-Worn Camera (BWC) Program, submitted by Terry Zeigler, Police Chief. On May 18, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

May 28, 2015
Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 4 – 150100... GRANT: HEALTH DEPARTMENT PROJECT
SYNOPSIS: Request to subcontract with the Community Health Council who is partnering with KDHE (through a CDC grant) on a project to prevent obesity, diabetes, heart disease and stroke, submitted by Terry Brecheisen, Public Health Director. On May 18, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 5 – 150076... AMENDMENT: FOOD TRUCKS
SYNOPSIS: Authorize staff to move forward to amend the zoning code to allow short-term food trucks based on administrative review, requested by various commissioners and submitted by Rob Richardson, Director of Urban Planning & Land Use. On May 18, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 6 – 150078... AMENDMENT: LIMITATIONS ON NEW “DOLLAR” STORES
SYNOPSIS: Authorize staff to move forward to amend the zoning code to require a special use permit or other limitations on new “dollar” stores, requested by Mayor Holland and submitted by Rob Richardson, Director of Urban Planning & Land Use. On May 18, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

May 28, 2015
Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 7 – 150104... AMENDMENT: AUTOMOTIVE LAND USES
SYNOPSIS: Authorize staff to move a code amendment to the Planning Commission to require a special use permit for the following automotive related uses not associated with a new car dealer, submitted by Rob Richardson, Director of Urban Planning & Land Use. On May 18, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.
1. Used car sales
2. Used tire sales or tire services
3. Auto mechanics
4. Auto body repairs

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 8 – 150103... AMENDMENT: FLOODPLAIN
SYNOPSIS: Request an amendment to the floodplain ordinance to change the dates of the UG’s approved flood maps in order to maintain eligibility for disaster relief, submitted by Rob Richardson, Director of Urban Planning & Land Use. On May 18, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

May 28, 2015
ITEM NO. 9 – 150106… AMENDMENT: RESIDENTIAL ACCESSORY USES

SYNOPSIS: Request an amendment to the allowed residential accessory ordinance due to issues arising from activities within the Hanover Heights neighborhood, submitted by Rob Richardson, Director of Urban Planning & Land Use. On May 18, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 10 – 150133… GRANT: DOWNTOWN SHAREHOLDERS

SYNOPSIS: Request the UG apply for a grant from the Kansas Historic Society to conduct a historic resources inventory of Downtown KCK and designate Downtown Shareholders as the administrative agent (third party designee), submitted by Rob Richardson, Urban Planning and Land Use Director. On May 18, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

ITEM NO. 11 – 150057… PLAT: FRANK RUSHTON ELEMENTARY

SYNOPSIS: Plat of Frank Rushton Elementary located at 43rd & Springfield and being developed by USD 500, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize Mayor to sign said plat. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

May 28, 2015
12. MINUTES...MINUTES

SYNOPSIS: Minutes from regular session of March 26, 2015; and special session of May 14, 2015.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

13. WEEKLY BUSINESS MATERIAL...WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated May 7 and 14, 2015.

Action: Commissioner Kane Made a motion, seconded by Commissioner McKiernan, to receive and file. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Markley.

PUBLIC HEARING AGENDA

No items of business

ADMINISTRATOR’S AGENDA

No items of business

STANDING COMMITTEES’ AGENDA

No items of business

COMMISSIONERS’ AGENDA

ITEM NO. 1 – 150144... GRANT 2015 CASINO GRANT FUNDS

SYNOPSIS: Request approval of the 2015 UG Hollywood Casino grant funds recommendation, submitted by Joe Conner, Assistant County Administrator.

Joe Connor, Assistant County Administrator, said what you have before you tonight is a summary spreadsheet of every application received, the requested amount and then the amounts that were awarded by you individually.

May 28, 2015
In way of summary, there were 54 total applications received this year. There are 33 grants being recommended for approval with the average of being almost $15,000 per grant. I’ll stand for any questions. If approved, this will be posted on the UG website next week with every application that was received so people can look and see what grants were submitted and what they were about and what you funded as well.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Walters, Bynum, Walker, Townsend, McKiernan, Murgaia, Johnson, Kane, Markley.

LAND BANK BOARD OF TRUSTEES' AGENDA

No items of business

Commissioner Markley said, Mayor, can I make a quick announcement? I just want to make sure that all the Commissioners are aware that on June 2 the CDBG committee is going to meet at 4:00 p.m. You’re all welcome. We’re going to meet on the 5th Floor. You’ll get a notice about it, but just so you’ll know we’re meeting with our consultant for the five-year plan that day and wanted to make sure that you were aware that’s your opportunity to meet with that consultant and talk about our five-year plan.

Mayor Holland said that’s on June 2. I would make this special request. Please let Janet or Dianna know in your office if you’re going to attend because if we go to five, we need to announce that meeting. Have we already announced the meeting? Commissioner Markley said yes. We’ve been announcing them anyway. Mayor Holland said you don’t need to RSVP, but you’re welcome too. Commissioner Markley stated totally optional to be clear, but you’re more than welcome to join us.

MAYOR HOLLAND ADJOURNED

THE MEETING AT 8:15 P.M.

May 28, 2015

Bridgette D. Cobbins
Unified Government Clerk

May 28, 2015
The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in special session, Monday, June 1, 2015, with eleven members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District (arrived at 4:05 p.m.); Townsend, Commissioner First District (arrived at 5:15 p.m.); McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO; presiding (left the meeting at 4:32 p.m.). The following officials were also in attendance: Doug Bach, County Administrator; Jody Boeding, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Ken Moore, Deputy Chief Legal Counsel; Melissa Mundt, Asst. County Administrator; Gordon Criswell, Asst. County Administrator; Joe Connor, Asst. County Administrator; Emerick Cross, Commission Liaison; Jason Banks, Asst. to the Mayor/Manager; Mike Tobin, Interim Director of Public Works, Bill Heatherman, County Engineer; Lew Levin, Chief Financial Officer; Debbie Jonscher, Asst. Finance Director; Reginald Lindsey, Budget Manager; Maureen Mahoney, Asst. to Mayor/Chief of Staff; and Officer Steven Kopp, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Philbrook, Bynum, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Holland.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Monday, June 1, 2015, at 4:00 p.m. in the 5th floor conference room of the Municipal Office Building for a meeting of the Committee of the Whole to discuss the Capital Maintenance Improvement Plan (CMIP) and Community Development Block Grant (CDBG).
CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Holland said we have a little bit of change in plan. We’ve had a request for an executive session regarding labor negotiations for 20 minutes in the conference room next door.

Commissioner Philbrook made a motion, seconded by Commissioner Markley, to go into executive session for 20 minutes regarding labor negotiations. Motion carried unanimously.

Mayor Holland reconvened into special session at 4:25 p.m.

Commissioner Philbrook made a motion, seconded by Commissioner Murguia, to extend the executive session for 5 minutes at 4:25 p.m. Motion carried unanimously.

Mayor Holland reconvened into special session at 4:30 p.m.

Commissioner Philbrook made a motion, seconded by Commissioner Walters, to extend the executive session for 10 minutes at 4:32 p.m. Motion carried unanimously. (Mayor Pro Tem Walker chaired the meeting at this point.)

Mayor Pro Tem Walker reconvened into special session.

June 1, 2015
Doug Bach, County Administrator, said tonight as we set out as we’ve done every year we move through and start having conversations about our big projects that are in our Five-Year Plan and we did a little bit of evolution on this program last year as we went through our budget process. We spent some time working through what projects were important from a community perspective and then we moved some of them into the fall that we had during standing committee so that would enable us the opportunity to come back in and reevaluate those that are on schedule for 2015—I’m speaking of last year and then look ahead as to what we should be projecting to come forward for the year 2016 on. We did that last year to give our staff a good idea of where our priorities were and that’s what we’ve worked on with this today. As we sit down from a staff perspective we’ve done some reevaluation of those projects that are coming. From many aspects the projects that are in 2015 are lined out and how they are ready to go. Our Public Works staff has had to go through and do some tweaking to that and then we look at what we’re doing in 2016 and then we started looking ahead on to 2017, 2018, 2019. That’s kind of our global overview.

I’m going to turn this over to Debbie Jonscher. She is going to take us through a little bit more overview of where we are from a CMIP perspective and then we’re going to kind of go through a few more of the projects and layout where we’re at.

Debbie Jonscher, Asst. Finance Director, said I thought I would just start out with an overview of the CMIP process. I think most of the commissioners here have seen this information before.
but we thought we would just—since we’re starting out the process this year we would go ahead and quickly review what’s in the CMIP and then go over the process of how we get items into the CMIP.

**CAPITAL MAINTENANCE IMPROVEMENT PROGRAM (CMIP)**

"The CMIP is a 5-year plan of capital project improvements and equipment needs"

- Improvements can include construction, reconstruction, rehabilitation or maintenance of a capital asset.
- Equipment needs can include replacement, upgrade or purchase of new equipment.
- Includes Pay-As-You-Go projects (cash) and debt financing.
  - (Lease 3-10 years, GO Bonds 15-20 years)

The CMIP is a Five-Year Plan of capital project improvements and equipment needs. If you look at the CMIP spreadsheet there are six years. We look at the current year that we’re amending and then we have five future years also listed.

Improvements can be construction, reconstruction, rehabilitation or maintenance of a capital asset. Equipment needs can be replacement, upgrades or purchasing new equipment. All the Capital Projects and Equipment are financed either as pay-as-you-go which means we would pay using available cash or we would debt finance. Equipment is usually leased anywhere from three to ten years and projects are using GO Bond financing and it’s usually 15 to 20 years.

June 1, 2015
WHAT IS INCLUDED IN THE CMIP?

- **Capital Equipment**
  - Vehicles
    - Police Cars, Fire Trucks, Sheriff Transport Van, WPC Dump Trucks
  - Large Equipment
    - Tractors & Mowing Equipment, Backhoes, Sweepers, Snowplows
  - Technology Equipment
    - Computers, Software Upgrades

Capital Equipment includes all of our fleet vehicles. That would be police cars, ambulances, dump trucks, it could be large equipment, tractors, mowers, snowplows, sweepers and it can also include technology equipment computers and software upgrades.

WHAT IS INCLUDED IN THE CMIP (CONT)?

- **Capital Projects**
  - Public Building
    - City Hall, Courthouse, Fire/Police Stations, Memorial Hall
    - Interior/Exterior Renovations
    - Roof, Windows, Elevator
  - Infrastructure
    - Street Resurfacing, Curbs & Sidewalks
    - Bridges
    - Sewers (sanitary and storm water)
  - Parking Lots
  - Parks & Recreation
    - Shelters, Playgrounds, Spray Parks, Recreation Centers
  - Traffic Control
    - Lights, Speed Bumps, Pavement Marking

On the project side it includes all public buildings. That would be any UG owned building, the City Hall, Court House, fire stations, police stations, it could be interior/exterior renovations as well as roof repairs, windows, elevator repairs; anything like that.

Infrastructure would be street resurfacing, curb and sidewalk improvements, bridges, sanitary and storm water improvements, parking lots.

June 1, 2015
Parks & Recreation would include shelters, playgrounds, any improvements related to the recreation centers.

Traffic control could be lights, speedbumps and pavement markings.

**PROCESS FOR INCLUDING AN ITEM IN THE CMIP**

- CMIP requests are submitted to the Finance/Public Works Departments
- Standing Committee evaluation of upcoming projects
- Administrative Review – departments and administration review all projects/equipment submitted
- Committee of the Whole—committee meetings are held to review and comment on items that have been submitted

"Once finalized, the CMIP Project and Equipment lists are submitted with the Operating Budget for Commission to approve during the budget process"

The process for including an item in the CMIP—CMIP requests are submitted from the departments to the Finance Department as well as Public Works also gets requests. As Doug stated, we also have the standing committee that we have brought projects back. If you will recall in the fall—last year when we approved the budget we had a placeholder for MARC Projects and then once those projects were awarded Bill Heatherman came back to the group with the projects that had been awarded. That is our plan going forward to come back and review upcoming projects for the next year. We then have an administrative review where we go through and review all the projects and equipment that have been submitted and now we’re at the meeting of the Committee of the Whole where we are presenting the projects to you for review. Once they are finalized the projects and equipment lists are submitted with the Operating Budget to the Commission for approval during the budget process. I will just say tonight’s meeting you will get information, we’re only looking at cash and debt funded projects tonight.

June 1, 2015
The next couple slides I just have some graphs with some financial information related to Capital. This one just shows a graph of the cash budget that we’ve had over the past several years. The blue line represents the budget for Capital Projects and Equipment and the red line indicates the actual amount that was spent for those. The green line indicates the debt budget that was approved for debt financed projects.

I did just want to note one thing. If you look at right here in 2009, you will see that when the recession started we kind of dipped down on our cash projects but then you also notice that as that happened and our project—our cash budget went down and kind of stayed down low, our debt projects went up because we started moving more of our cash finance projects to debt as we were balancing the budget. That’s why you see that incline there and we did start to come down as things leveled out in the outer years.
This just shows Capital as a percentage of our entire budget. The total budget for the Unified Government was $295M and you will see over here that the cash funded projects and equipment represents 6% of our entire budget.

This next slide just shows the Capital Budget broken out by fund. This 6% shows how it was broken out and you can see the Sewer System Fund has 40% of the entire Capital Budget. They have a lot of projects related to their federal mandate with the EPA and their Capital has continued to grow over the last several years.

June 1, 2015
This is a graph we've shown several times. This one shows our debt service expenditures. We've kind of broken it out according to revenue source up there. We've got GO TIF and Other Funds. The Other Funds represent the Enterprise Funds and those funds pay for their own debt even though they are issued as GO they do make the payments on that debt. The top line represents all the General Obligation Debt. The graph that is shown below is only related to that top line, the GO Debt and that's why it's highlighted. You can see in this graph we've got this $20M expenditure target here. That's a target that we kind of set for several years and it was related to the current mill levy and other revenues that we were taking in. This was a target that we had used to set where we wanted our debt service payments to be. As you can see in the outer years we do start to creep up. I have built in some additional budget for future bond issues that we would have that we currently don't have, but I have built those into the outer years and you can see that in 2017 we do start to creep up above that $20M target. We probably will have some future refunding options that may get us back down below that target as well as some future revenue streams to apply towards this debt.
Reggie is going to pass out spreadsheets for the debt and cash projects and while he is doing that I'm just going to go over a key that we've included that just indicates what the different markings on the spreadsheets are. **Mr. Bach** said we sent this out electronically. If you don't want the hard copy, just let him know when he comes around.

**Ms. Jonscher** said as we go through the document if you see any amounts that are underlined, that indicates that there has either been an increase or decrease from what was previously approved in the budget or that was in the CMIP. Most of those markings occur in the
2015 Amended and 2016 columns. A box indicates a new item that was submitted that was not previously in the CMIP and the dotted line indicates that the amount either moved from one year to the next or moved from a different funding source.

We've also got little indications. If something is funded both out of the city and county, we've tried to note using +Ci indicates that there is city money as well as county money in there and a couple other funds.

With that I'm going to turn it over to Bill Heatherman, County Engineer, to go over some of the highlights and we're going to start with the Debt Projects.

**Bill Heatherman, County Engineer**, said with regards to the Transportation and related projects the Debt Financed spreadsheet is the key. As Debbie indicated the handout gives you an idea for either increased or decreased amounts, new items, change in year of funding source, the legend of how we make adjustments and I would be glad to answer any specific questions you have. Before we do that we just wanted to give maybe some broader themes that we hoped would help you kind of picture what the bigger story is with the budgeting.

June 1, 2015
## 2015 - 2020 Proposed Capital Maintenance Improvement Program - DEBT FINANCED PROJECTS

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**Subtotal** | 10,800,000 | 10,800,000 | 10,800,000 | 10,800,000 | 10,800,000 | 10,800,000 | 64,800,000 |

June 1, 2015
## 2015 - 2020 Proposed Capital Maintenance Improvement Program - DEBT FINANCED PROJECTS

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June 1, 2015
### 2015 - 2020 Proposed Capital Maintenance Improvement Program - DEBT FINANCED PROJECTS

**6/9/2015**

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**Total City Debt Projects**

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**June 1, 2015**
### 2015 - 2020 Proposed Capital Maintenance Improvement Program - DEBT FINANCED PROJECTS

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## 2015 - 2020 Proposed Capital Maintenance Improvement Program - DEBT FINANCED PROJECTS

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**Total Projects to Date:**

- **2015:** $3,375,000
- **2016:** $3,375,000
- **2017:** $3,375,000
- **2018:** $3,375,000
- **2019:** $3,375,000
- **2020:** $3,375,000
- **Total:** $20,250,000

**Total Projects (Paid to Date):**

- **2015:** $6,000,000
- **2016:** $6,000,000
- **2017:** $6,000,000
- **2018:** $6,000,000
- **2019:** $6,000,000
- **2020:** $6,000,000
- **Total:** $36,000,000

**June 1, 2015**
### 2015 - 2020 Proposed Capital Maintenance Improvement Program - DEBT FINANCED PROJECTS

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Mr. Heatherman said one of the main constraints in our budgeting is what Debbie showed, the need to maintain a target level of debt service overtime and what that results in is at least a controlled approach to each year of total debt projects funded through the General Fund. For Transportation Projects that is the main source of funding is the General Fund. Our Enterprise Funds in Public Works, the Storm Sewer Utility and the Sanitary Sewer Enterprise Fund have their own separate funding source and they obviously have controls as to how much indebtedness they can have but the Transportation Projects in particular are the ones that you see being controlled by that chart.

When we work out the other types of projects what we really have in here is the top three types of Transportation Projects which is on page 1 and the top of page 2. If you add your streets, bridge and traffic together, those really average out about $13.5M over this five, six year period. 2016 is a very controlled year that adds up—those three line items add up to about

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$12M. If you’re to look at the first three purple lines and add them together you would see
that those hold relatively controlled in a steady progression $12M in 2016 and then increasing up
to about $14M, but it really averages about $13.5M. You know some year we may have a bridge
project that’s expensive, some year we may have something that gets categorized as traffic
engineering that’s expensive such as the Leavenworth Road Intersections coming up this year
but those usually balance out. We try to hold a relatively level funding there. We also try to
hold some ratio or at least a balance between our core maintenance projects and those other
projects that are either rehabilitation or reconstruction. There is a little bit different discretion.
Sometimes our core maintenance projects come up as emergencies and other times like with our
street resurfacing we just know that we need to maintain a steady level of effort that if we swing
too wildly on that, that will get things out of cycle. We don’t have an exact number but it seems
to be about 50/50 over time in terms of those things that get categorized as strict maintenance
versus the others.

I wanted to draw your attention to the bottom of page 1. One of the stories of 2015 and
2016 is really how successful we were in getting Mid-America Regional Council grant funded
projects and we’ve talked about those over this last year. If you see the big cluster of boxes in
the 2015 Amended Budget at the bottom of page 1, what those all primarily are is grant funded
projects and you see the +G at the end. All of those projects are the ones that we talked with the
Public Works Standing Committee and you all about last year and this is really the first time you
see them fully shown in the regular budget but these were all approved in Finance last year. For
example, our Safe Routes to School Projects, that’s our Leavenworth Road 63rd to 38th, our
Central Avenue & 18th Street Project, the 12th & 10th Bike Route for Metropolitan to Quindaro,
the improvements on Route 107. What you will see below, third line from the bottom, is we
know that every two years we’re going to have a chance to compete for these funds and so we
have built in a placeholder because next year’s competition will be competition for projects that
would have a construction in 2019 or 2020 so that’s built in so that we don’t have a crisis when
we win the projects and then suddenly all the expectations get upended. We’re trying to have
that built into the budget and these are reasonable expectations for us being successful.

Just so you will see the other half of it, what you see on page 1 is the local funding
needed to support our share of these debt funds but if you flip back to page 6 in this packet,
that’s the actual expected amount to be received through grants of all types of projects. In the

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middle there you can see a nice big long list of those same Transportation Projects that we’ve been successful with.

A couple other pieces to this story, if you go back to page 1, over time we are steadily increasing our proposed amounts of money to spend on Resurfacing Projects. I know that in our individual conversations each year when we’re talking about the Resurfacing Program and in phone calls and emails I get all through the year, the importance of maintaining the condition of our streets is very important to you as it is to us. We’re trying to continue to show a commitment to that. You also see some pretty big numbers there for our unfunded federal mandate with regards to ADA Wheelchair Ramps and we’ve done enough of those now that I think you can see the kind of benefit they provide in the neighborhoods once we get to those. We have a lot left to go and we have to maintain our focus. We have added a project that we’ve been watching the condition of the concrete at State Avenue near Village West and it’s time so we have made the adjustments necessary to get that one fit into 2016.

The last thing I will point out and this is to what Debbie had mentioned, every year there are many new requests for new projects and priorities and we have been working for the last couple of years to continue to make a better process so that you all as commissioners have the information you need to make decisions and you can do it in an orderly fashion.

What you will see on the bottom of page 1, second line from the bottom, you see a line item called Residential Collector Reconstruction and what that really is is your placeholder for the next discretionary project, not driven by maintenance necessarily, unless it turns out that we have something so big that it hits on the maintenance end. Under the budget constraints that we have right now we have anticipated that there might be around $2M that could be allocated to some one or two new projects that may come up.

If you flip to towards the back of your sheet to what we’re calling the Unfunded Projects list on page 7, you will see a select number of those projects that have come up in some kind of public forum or discussion. This is just the beginning of the list, if you will, and when we come and visit with the Public Works Standing Committee in the fall it will be with the idea of accepting additional proposals to add to that list and asking you all for your assistance in getting priorities to that list. We were not proposing to necessarily add any of these in this budget round because really the first opportunity comes later unless you all as a Commission decide amongst yourself that’s what you would like to see happen and that’s the way we have it

June 1, 2015
set up to be able to work with you and kind of figure out where the constraints and what adjustments might need to happen if in fact that’s the request that’s made.

This is your budget. Our job is to give you good information and hopefully be able to carry through on those projects in a manner that you all expect once we get those decisions made and with that I guess we would stand for any questions you might have on the Transportation part of the budget and then Mike will start taking you through the buildings.

Mayor Pro Tem Walker said I don’t have a question on that but I do note that on the Unfunded Projects you’ve listed as the ADA Playground or the playground that is not exclusively—not handicap accessible, but is designed and built for the handicapped that I intend to initiate and pursue. Whatever process, I need to have that elevated to at least the point where we get strategy money or planning money, some kind of allocation so our Parks Director can use that as a lever to use to get matching funds which I am given to understand by him from his experience in Independence is widely available, but not from ground zero. You have to be able to put up some dollars. Now I don’t know what number I’m talking about but it is certainly one I intend to pursue. Mike Tobin, Interim Director of Public Works, said based on our earlier discussion that’s why we placed that project within the list on the unfunded part and according to Jeremy, the Parks Director, that number includes the amount necessary for the preliminary design. Mayor Pro Tem Walker asked the $450K. Mr. Tobin said yes. It was anticipated that the actual construction cost to that would be around $400K and then the $50K was the design part of it. Mayor Pro Tem Walker said I did not anticipate this being a project that we would be able to do within a very short period, but I did expect it to be able to be completed over a two year period.

Commissioner Murguia said I have quite a few questions, but I’m going to ask you on some of these just to provide it in writing to me. I don’t need it right now. It would take too much time. On the first page numbers 1, 2, 3 & 5; I’m really doing this more for the benefit of the new commissioners, I never knew the difference between those before. If you could define those and maybe send them to all of us because there is a difference and I had to learn that the hard way. You see what I’m saying, page 1? Mayor Pro Tem Walker said yes I do, I understand. Commissioner Murguia said there is a difference which you will see.

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First of all let me also say fantastic job on this. Doug, if this is you, this is great. I particularly appreciate the want list on the backside. Commissioner Markley has been saying for years that we need a list that we can put things on so we can keep track and then if it never comes to the front, then the Commission is responsible for that, but not having a list it’s hard for us always to remember what people have brought to us so this is great and easy to follow.

Just a quick question about, I’ll use Safe Routes as an example Bill. You have Safe Routes and you list the schools that you’re doing on number 11 and 12 on page 1. I know those have grants so does this amount that we have allocated for 2016, for example, we will just use the $270K, does that include the grant money? Mr. Heatherman said what you see, commissioner, on page 1 is the local funds necessary to match or fulfill our non-reimbursed expenses on the grant. This is the local funds and then on page 6 is the grant and when you add those together you get the total amount available for the project. Commissioner Murguia said okay and that’s consistent. Mr. Heatherman said yes, that’s how we’ve done it.

Commissioner Murguia said I love this, on page 2, it says Facilities Projects and it talks about Animal Control Facility Expansion. I love that you’re saying that’s projected for 2016 at $100K. Mr. Tobin said yes, that was already included in the budget and part of that came out of Police. Commissioner Murguia said just so this correlates, with a facility expansion I’m assuming when we get the budget where we pay people you will see an increase in the number of Animal Control employees because now we have more space to take care of. No? They just have to do more—Mr. Bach said I think some of that is still subject to prioritizing where we’re going with that. There is still some study that needs to be fit to this that if we’re putting Animal Control—I mean we had a push that we would be doing a complete new Animal Control Shelter that got threw out there too which you know is a whole different frame of project which would come in but if the emphasis from the committee that is working this and comes back is that this is expanded space and we’re targeting that toward adoption space or is it holding space? I can’t say that I have a clear defined priority as to what we’re doing yet on that and I think there is still committee recommendation that comes back and we will evaluate and then we would bring to the governing body. The emphasis to this $100K has been there for a while and we have allowed it to work up and I haven’t pushed it out this year because we did put a lot of emphasis toward Animal Control in the last year so I left that as a priority. Commissioner Murguia said for purposes of this meeting we can have that discussion later. I

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just wanted to make sure that when I’m looking at the CMIP Budget and I see money for bricks and mortar, especially expansions or additions, that we also be thinking is that expansion—I don’t think we can ask our people to do more than what they’re currently doing. Anything we would consider for expansion I would expect to see an increase in positions.

**Commissioner Philbrook** said can I say something along that line since we’re on Animal Control. Thank you Ann and I appreciate that. That particular amount has not been earmarked as to exactly how we would ask the Commission to spend the money because we do not know the best way yet. That’s number one. Number two is, we do know that increased personnel, number one in our opinion, is the first thing and now I’m speaking for my committee and you’re welcome to call anybody on the committee and talk to them or come to the next meeting, but we know increased personnel makes a big difference. That’s part; I’m sure, what the Police Department is dealing with because that budget, that part the increase, is under their budget.

**Commissioner Murguia** said so to finish out my questions, page 4 top item, Dedicated Sales Tax Fund. That’s sort of a pleasant surprise. Are you telling us that we’re going to continue this CNIP Program and is that telling us for 2015 and 2016? I thought when we talked about this before Lew didn’t think we had that much money in there. Did he find some? **Mr. Heatherman** said page 4 only shows the 2015 as the last of the two rounds of CNIP funding. I’m sorry. **Commissioner Murguia** said okay so 2015, this year, is the last of that so that program, for everyone’s clarity, is over. **Mr. Heatherman** said yes. **Commissioner Murguia** said so the 2015 is the last year.

**Commissioner Murguia** said you answered the grant question. That’s all I had.

**Commissioner Bynum** said just to make sure I understand and Commissioner Murguia I think kind of asked a better version of my question. On page 1, the grant funded projects, and this is the piece that when we say debt finance meaning we didn’t spend cash, we borrowed, am I right? **Mr. Bach** said yes. What you see when you see these numbers is the total amount so like take the first project, 2015 Neighborhood Street Resurfacing, we went into debt and did $1.9M. Now we’re more specific when we go through and do the actual debt financing. We note when those come around where those project areas are but we will pull out $1.9M that goes into debt specifically for these purposes and that’s what we total out and we’re going to pay for that $1.9M

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over years but that is how much is allocated from this year’s debt to that. Commissioner Bynum asked is there a rhyme or reason to when a grant opportunity comes up whether to debt finance it or pay cash. Is it just kind of a case by case? Mr. Heatherman said I would say most of the grant opportunities come in the Transportation realm and at least at the present time the financing of major Transportation Projects is almost all debt. The amount of cash that’s been left available to provide matches is very, very small. Mr. Bach said I think that is well said. Really when you saw that pie, 6% for cash is pretty low. It would be preferred when we’re taking out little projects, I say little, but a $250K project we would be paying cash. We just have not been in that position for a while.

Mayor Pro Tem Walker said I would like to ask a question and maybe it’s Lew or Doug. It follows up with Commissioner Murguia’s question about the termination of the CNIP Program. Has that decision been made by a previous Commission that we would only do it for four years or did we just fund it for four years and the funding has run out? I think it’s a great program and I think it gives the commissioners some ability to get things done in their district but if I understand correctly, in order to come up with another $2M for the next budget year—would it be the next budget year or the next two budget years? Mr. Bach said it would be multiple budget years. Mayor Pro Tem Walker said for multiple years we would have to agree to debt finance that. Is that correct? Mr. Bach said Debbie, why don’t you speak to how the Dedicated Financing Fund works and the revenue source that we have coming in for that over the next few years and then how we allocate that. Ms. Jonscher said we issued a bond, let’s just look at the 2015, we issued a bond for the 2015; the $2M. We have set that to pay back over a four year term so we will finish paying for the 2015 amount in 2019. The Dedicated Sales Tax expires in 2020 so currently we have a revenue source coming up through I guess until June of 2020 and so we’ve set these payments on the CNIP Projects to pay off during that time. Mr. Bach said so it’s not that you made a decision not to do it anymore, but each year from this year through 2019 you’ve already allocated $600K a year for that purpose so of the amount of revenue that comes in that’s already gone. When we start to divide that fund up, a third, a third, a third between Police, Fire, and Public Works you take big chunks away from it and you would have to take a bigger chunk, I guess, to get it all paid off by 2019 or 2020 if you wanted to do another version of it. You would have no cash available probably for any of those out years because you would

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probably be spending it all toward debt service and that was the thought on it before. **Mr. Heatherman** said I will just echo, the original proposal of CNIP specifically talked about a one-time $4M total allocation split into two different rounds and financed over that sales tax period. That’s how it was proposed. **Mayor Pro Tem Walker** said well I’m obviously—even though if we’re doing it in cycles, the next year would not be or the new two years would not be my turn. I like this project and I’m interested in further discussions at a later date. I don’t want to get down in the weeds tonight about it but whether we can figure another way to fund that, it allows commissioners to identify the great—where they think needs are that doesn’t always correspond with staff. That’s not good or bad. It gives two points of view an opportunity to come through. It may be that we won’t be able to fund it the way we planned but I don’t want this program to be written off as dead, whatever we call it, whether we call CNIP or some other funding by debt financing for commissioner discretionary projects.

**Commissioner Walters** said I have some questions. We’re on page 1 through 3 with your presentation Bill, right? **Mr. Heatherman** said yes. **Commissioner Walters** asked could you elaborate on the first page, you mentioned the ADA Pedestrian Handicap Ramps and we’re going from $100K a year to $800K a year. Could you explain why we’re doing that or what the great increase is for? **Mr. Heatherman** said the line item is the fourth from the top, Neighborhood ADA Pedestrian Handicap Ramp; that is the funding source intended to get us in compliance with our ten-year consent decree with the Department of Justice that we signed in 2010. If I recall right, the total amount we estimated at the outset of that was on the order of $15 to $16M to completely do all the ADA Ramps that we were required to do. In the first couple of years it was felt that trying to hit that average would just be logistically too much for us to try to execute so when we started that program we started at half a million a year and I think originally we were going to bump up to a million last year but because of all of the pushing and shoving, if you will, to get all the projects to fit in; we held off that ramping up of the program. Under our consent decree we are to be done with this whole program by 2019-2020 and we need to be able to execute at these higher levels. In fact this may not entirely be enough to totally get everything through but we figured let’s make the first jump before we worry about the second jump. **Commissioner Walters** asked did we just spend $100K in 2015. **Mr. Heatherman** said 2015 was an unusual drop. If you went back to 2013, 2014, 2015 we had half a million, but yes, we

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did drop down to $100K last year because we just had so many competing demands and that was about the only thing that we had any real discretion and timing on. **Commissioner Walters** said so you don’t think it will be a problem to ramp up to $800K next year. **Mr. Heatherman** said no, we were doing a half million a year so we had built our pace and capacity.

**Commissioner Walters** said on page 3, the YMCA Facility for $6M, and I see that as the 2015 Budget line item. Are we ready to spend that money? **Mr. Bach** said we’re not ready to spend it yet. Why we left it there is the potential that if we move forward with that project, we would be able to finance that portion as per where we were earlier assigned for it to go so it’s sitting there in that placeholder. We had identified what we would use in the out years and we debited it out as casino revenue or some that would go toward—that was the revenue source for it. Unlikely that the project would get dug in and do a whole lot in 2015, but if we wanted to move forward and let it and do the debt, we need to keep it in this year’s budget. I did contemplate pushing it to 2016 for that purpose, but I wanted to maintain the flexibility that if we did that we could still do it 2015 but if we thought let’s go to 2016, we can always carry it over and then amend our budget next year.

**Commissioner Kane** said two things, I thought tonight’s presentation was so they could show us and then we would look at it and then we would get into the weeds. I didn’t think it was get into the weeds and you know tie up a lot of time tonight, not that I care, but I thought that was the purpose of it. That you guys would show it to us, we would write down our questions, come back as a whole and ask questions.

The other thing, on the YMCA what’s the deadline on that? **Mayor Pro Tem Walker** said August. **Commissioner Kane** said August of what year. **Mayor Pro Tem Walker** said this year. That was the original deadline for the financing or substantial financing to be in place was two years and I believe it was in early August of 2013 that we said move forward. It’s my expectation that at some point in the next few months the Mayor will make some presentation to us about where we are financially whether it’s just $6M that we have committed to or whether there are additional contributions to be considered, certainly before we complete our budget. **Commissioner Kane** said and that’s my point because you know I would love to see a Y but you know I’ve got fire stations they can’t live in. To be perfectly honest about it I’m really disappointed that the pole barn at 125th & Leavenworth Road is—there’s no we’re going to buy a

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new one, fix a new one, nothing. I think we need to take a look at that. I’m concerned about it. Maybe some of the staff isn’t, maybe some of the commissioners aren’t, but what happened the other day is going to happen at other fire stations so we need to keep that in mind. Like I said, I don’t want to get into the weeds tonight, didn’t think we were going to, don’t think we should, I just thought this was a presentation to say here’s where we’re at.

Commissioner Walters said I guess maybe I need a clarification. Are we supposed to ask questions or are we not supposed to ask questions tonight? Mayor Pro Tem Walker said I thought tonight would not be one where we would get as we say down in the weeds in too much detail. We only have until 6:00 p.m. Now, as far as I’m concerned—does staff have other general presentation like the Cash Funded Projects that you want to talk about? Mr. Heather said yes. Mayor Pro Tem Walker said we’re going to have a longer detailed discussion I know and we’re not going to get enough time tonight so if there is staff presentation, let’s get the big picture and avoid anything we don’t have to have discussed tonight. That would be my take on it. I don’t know how the Mayor would do it but that’s how I’m going to do it. Commissioner Murguia said if I may interject here if I can speak a little bit for Commissioner Kane, I think he wasn’t saying he minded the questions, he is going to have some of his own questions and there needs to be another forum for us to go into more detail. Mayor Pro Tem Walker said I understand. I think the big picture—that’s a big ticket item and it was an appropriate question. It wasn’t getting into the weeds but if there is more ground to cover, we’ve only got 30 minutes to do it and so we need to do it. Commissioner Murguia said as long as there is going to be another meeting to talk about this stuff I’m good. Mayor Pro Tem Walker said the Mayor calls them. Is there any commissioner that does not want to have another meeting on CMIP? Then I would say the Mayor needs to be informed, Doug, that we all want to have another meeting on CMIP. Mr. Bach said as we discussed and maybe the opportunity next week as we were talking about doing some CDBG next week, but given this information to you and if there was a need for follow-up on the projects, that’s a week out so gives a good opportunity to come back to this as well. Mr. Heatherman said so with that, Mayor Pro Tem, we will push ahead.

Going to the other batch I will just finish with the Transportation and Engineering side on the Cash Fund and then Mike Tobin will touch base on the Buildings, Logistics and Other Project fund sources.

June 1, 2015
### 2015 - 2020 Proposed Capital Maintenance Improvement Program - CASH PROJECT BY FUND

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#### Notes:
- The table above outlines the proposed capital maintenance improvement program for the years 2015 to 2020, categorized by fund/program.
- Each project includes an initial original budget followed by subsequent budget revisions.
- The total budget for each year is calculated based on the revised budget amounts.

*June 1, 2015*
## 2015 - 2020 Proposed Capital Maintenance Improvement Program - CASH PROJECT BY FUND

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**CITY GENERAL FUND TOTAL**

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June 1, 2015
### 2015 - 2020 Proposed Capital Maintenance Improvement Program - CASH PROJECT BY FUND

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**COUNTY GENERAL FUND TOTAL:** $300,000

June 1, 2015
# 2015 - 2020 Proposed Capital Maintenance Improvement Program - CASH PROJECT BY FUND

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June 1, 2015
### 2015 - 2020 Proposed Capital Maintenance Improvement Program - CASH PROJECT BY FUND

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**June 1, 2015**
Mr. Heatherman said as you all know there are lots of individual fund sources and different departments draw their projects off. For the Transportation and Engineering Programs the most interesting pages are really page 4.

Mayor Pro Tem Walker said I have just been informed that we go off television at 5:45 p.m. for 15 minutes so let’s get your presentation in its best abbreviated form.

Mr. Heatherman said page 4 which is the Sales Tax Supported Funds, page 5 which has Special Street & Highway Fund which is the ever declining gas tax and then at the bottom is our Sewer Enterprise Fund, and page 6 which has our Storm Water Utility Fund. Most of those cash funds

June 1, 2015
are very much day-to-day heavy maintenance. There are not a lot of the discretionary projects listed in there. There are a few odds and ends and we can answer questions on those later.

With that I will turn it over to Mike Tobin to talk about kind of the rest of the budget picture.

**Mike Tobin, Interim Public Works Director,** said if I might stay where Bill was for a minute, on the sewer side where he mentioned the cash projects; that’s part of what you’ve seen increasing lately. We have been increasing the Sewer System Fund revenues by 5% the last few years. That’s all due to the federal mandates for the CSO and the IOCP Programs. The money that you see on page 5 are maintenance programs or studies and engineering fees that go along with that program and keeps us in compliance until late next year when we have to go and make our final presentation and come to a final consent decree with the EPA. **Mr. Bach** said, Mike, I just clarify that you said 5% and we’ve been doing 7% so this project contemplates our continued 7% increase in that budget each year. **Mr. Tobin** said I’m sorry, you’re correct.

On the Storm Water Utility that is where we collect the user fee and those funds go in there and the projects come out of that. As a matter of fact we will be coming to the next Public Works Standing Committee regarding storm water to present to that committee.

If I could go back for a minute, I know there is always going to be questions on sewers, but I guess we will come back to those at a later time.

I would like to get through the Building part because if you look at the amount of money that’s allocated to the repairs and maintenance of our buildings, which is under Buildings & Logistics, some of it is under Fire and Police. In the debt section which was that first handout that we went through, you will notice on page 2 there are some facility projects which is not a large amount of money. The large amount of money for our facility projects is back in the unfunded categories and those amounts are significant as you will see as you go through it. We’ve neglected these facilities for years and it’s catching up with us. Not to beat a dead horse but that’s something that needs to be addressed. We’re commissioning a master plan for the building across the street which is our flag ship building I guess you would call it, the County Courthouse which is on the Historical Register. It is my hope, sincere hope of staff and Don Jones who is present tonight, our Facilities Director; the strategic planning that will take place in the fall we would like to come forward and present more on the buildings to you at that time to

June 1, 2015
keep it at a high level but also to bring it to the forefront. I know what I’m saying is probably going to generate a lot more questions but I’m moving fast as Commissioner Walker directed.

There are buildings also on the cash side. You will see there is no cash or very little cash out of the County General Fund and that is also a gaping hole in how we approach the building repairs. The City General Fund has more money than the County General Fund and that leads to a disparity in some of the payments. I would let Lew or Doug speak more to that but you can see the amounts are very small that we deal with in there.

At this time I’m ready to stop for questions.

**Commissioner Philbrook** said I will have plenty of them later on that. **Mayor Pro Tem Walker** said certainly I don’t want anybody to feel—we’ve got ten minutes. If you’ve got a question, it can be answered but not in the minutia of a particular project perhaps but in a big picture way, please feel free to ask.

**Commissioner Johnson** said this might be for Doug or whoever the case may be, how do we interrupt the priority positions that are next to each one of these projects? Number one, does that mean—**Commissioner Markley** said when I first came along there was no such thing as a priority position and we just had this big budget knowing we had to cut something. Commissioners didn’t have any idea of what staff thought should be first on the list and what staff thought should be last on the list so we asked staff to start sort of identifying what was the required expenditure and what was—you know obviously staff wants to have them all and we respect that and understand that. We did come to a point where we had to start to juggle some things and it was nice to have staff input on the frontend as to what was most important versus least important and so that’s where those numbers came from. **Commissioner Johnson** said those numbers were put there by staff for our approval. **Commissioner Markley** said yes and one thing that you will see as you look at, say for instance, when the Police budget comes to us there will be a whole bunch of things that say one and that’s because they are things were making payments on so we can’t not pay them. Sometimes you will see multiple ones and that’s why that happens.

June 1, 2015
**Commissioner Murguia** said I would just add one request to the list. I think this is great and as I said I mean that, I think it’s fabulous and, Commissioner Johnson, just so you know if there is a particular thing that you want on the list—I mean my intention was and I think Commissioner Markley’s was that you could add it to the list. Whether it gets funded or not would be a Commission decision. The only thing I ask, if you guys don’t mind, I know you can’t go back in time but can you put the year that these items were added on the list because my anticipation is going to be that the list is going to grow and I want to know when things were on there in 2014, when things were added in 2015, it does sort of put some order into things. If we have, for example, a fire station out west that stays on the list for 20 years and other things are surpassing it and getting funded, people just need clarity that apparently the Commission doesn’t view that as a top priority. There just needs to be a very transparent way to see that.

**Mr. Bach** said I want to make clear too on one thing and I think a little bit of a follow-up Commissioner Markley’s comment, you will see the priorities—like you will see under Fire and Police where they come through and you see a lot of the ones there. Last year we didn’t do Committee as the Whole for Equipment. I think we found previously that you all said we know you need the equipment, you get so much money, go do your own priorities so you will get that but I mean we’re not going to sit down and go through it in the Committee as the Whole. Unless there is a change in that philosophy I’m not planning on bringing Equipment back from that perspective. We have a lot of needs and we need to figure out where to allocate that.

I do want to clarify too on the Fire ones since so many of them are unfunded we’ve intentionally put those in the back waiting on our study that’s to be done. I believe the direction that I’ve been given, and I believe it’s correctly so, that we wait to get the priorities of which ones are the highest priorities and where we go because we have so many buildings that need attention now but we don’t want to go in and spend a million dollars on something if we’re saying well we should do away with that station and we should build one over here or something like that. Half of them need major infrastructure. **Commissioner Kane** said no disrespect, but 8 is terrible and we haven’t done anything in ten years and I’ve complained about it the whole ten years. **Mr. Bach** said yes, it is.

June 1, 2015
Mayor Pro Tem Walker said I think there are plenty of opportunities to spend money here for Capital Improvements. I tend to agree with Commissioner Kane about fire houses. That particular part of the community pays an enormous amount of tax into the coffers of the city that is then redistributed. When we annexed that area, that was the Township Fire Station and it was inadequate for a Township let alone a city that has expanded and grown out there. I’m sure there are many fire stations that are in need of improvement but the people out in the western part of the community deserve a fire station that is up to today’s standards. I guess the fortunate thing is I don’t know about many fires out there. I haven’t heard about many fires. I couldn’t tell you how many have been out there but one day because of that station there is going to be a catastrophe because we have done nothing to make that a better station. Hopefully, I guess this study will identify the appropriate location that fire stations go throughout the community and we can decide where we need to fund them. We definitely need a long-range strategy for fire station improvements that is not just hit and miss whichever squeaks the loudest gets oiled. That’s my opinion anyway.

MAYOR PRO TEM WALKER ADJOINED
THE MEETING AT 5:39 P.M.

Bridgette Cobbins
Unified Government Clerk

June 1, 2015
The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in special session, Thursday, June 4, 2015, with nine members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District (arrived at 5:37 p.m.); Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO; presiding. Murguia, Commissioner Third District; and Markley, Commissioner Sixth District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Jody Boeding, Chief Legal Counsel; Carol Godsil, Deputy Unified Government Clerk; Ken Moore, Deputy Chief Legal Counsel; Gordon Criswell, Asst. County Administrator; Joe Connor, Asst. County Administrator, Melissa Mundt, Asst. County Administrator; Mike Taylor, Public Relations Director; Emerick Cross, Commission Liaison; George Brajkovic, Director of Economic Development; Maureen Mahoney, Asst. to Mayor/Chief of Staff; Jason Banks, Asst. to the Mayor/Manager; and Patrolman John Turner, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Philbrook, Bynum, Townsend, McKiernan, Johnson, Kane, Walters, Holland.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, June 4, 2015, at 5:30 p.m. in the 5th floor conference room of the Municipal Office Building regarding the Convention & Visitors Bureau (CVB) and Wyandotte Economic Development Council (WYEDC) next steps and a legislative update.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.
Doug Bach, County Administrator; said as was in the Call tonight it pertains to our next steps as we’re looking to extend our contracts with the CVB and WYEDC. It’s not a conversation about consolidation. I think the Commission was clear on that, that we’re not moving anywhere in that direction. I think one thing that was set out in our study report and a couple questions came back to us as concerns were expressed over the study period to me by commissioners, I wanted to follow through with that.

One of the things that the Springsted report did set out is do we believe that WYEDC and CVB are operating successfully and in a manner that we as major investors in each want them to operate. As I say major investors we invest $200K in WYEDC each year and a little over $700K in the CVB and we would anticipate that’s how we would continue our contracts or potentially even increase them based on how things go in the future.

Currently with each organization, and such as with WYEDC, our staff has quite a bit of involvement with them. We work with them hand in hand. We have formally bi-monthly meetings scheduled between our Economic Development staff and WYEDC. I meet with them at least on a monthly basis and go over projects, activities that they are involved in and what they’re doing. They are scheduled to come before our standing meeting in July to give update reports to where they are and then we have a board member, or two I guess, that sits on there. The Mayor sits on the executive committee and then we have another commissioner, McKiernan is on their board as well.

The Commission didn’t express a lot of concerns in our conversations as we went through this about our relationship with WYEDC or is there a difference in the relationship. I will say we probably worked that over more a couple years ago when we were looking at additional funding that we put into that entity.

With the Convention & Visitor’s Bureau it’s a little bit different relationship but we have three board members currently active. We are assigning a fourth so we have—you know they only have 12 board members so we do have four of those board members at a capacity. The four of those board members will be very active with what goes on. I would probably characterize our involvement with them to be more advisory from that perspective than it is contrary with WYEDC where we work more with the staff and how it’s done where we serve like the other committee members do from other organizations in the community, offer our input on things. However, probably from an overall involvement standpoint this governing body has

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not sit down and offer a lot of input and say boy this is what we would like to see or anything like that from that advisory nor am I involved or get with them from an administrative perspective as to what’s happening there. We do receive a written annual report from them but it’s been several years since we’ve had them come and present to us.

The Commission did express some desire about measureable goals and different aspects like that that we may want to do and so as I look forward to extend both of their contracts into 2016, and before doing anything like that, I wanted to sit down with all of you and kind of get any additional feedback, thoughts you have, thoughts that come from—you know the study did talk about different aspects of building those working relationships and as I said when we started if we expected more, we need to convey that. I will say we have not done that since the CVB so if there is a different expectation on our part, then we need to set that out. I’m looking for guidance from you all as I would sit down and negotiate or talk to them about terms or conditions that we would be thinking about in 2016 and then how we could measure that and move on from there.

That’s my opening, Mayor, and I will stand for any comments or questions from the commissioners.

Mayor Holland said yes, I think it’s an open conversation at this point.

Commissioner Philbrook said mine is several fold. One is because there seems to have been—even though you succinctly said this time that you saw that we did not want to consolidate them at this point. I think that there was a little bit of confusion among us, as commissioners, as to what we exactly meant when we placed forward our motion to put everything back in place as it was because we did not exactly say what we meant. It wasn’t what I would call a nice clean amendment so I’m going to make a comment about that right now. In the future when we have these discussions and change our motions that these motions have clear submissions from Legal and that we have a written motion upon which to vote so we’re very clear as to what our intentions are. The part that some of us are not sure about is the putting CVB back into action up through most of 2016 versus 2015, that’s part of it, okay? We didn’t all understand the same way on that. I believe the intent from Mr. Kane and myself was just to erase all of the stuff that we had been dancing through and expected it to just go back the way it was and then ask them to

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start putting forward some measureable items so we could see what they were doing and that we were happy with what they were up to.

**Commissioner McKiernan** said from my perspective there has been a couple of things and I’ve shared these with the CVB Board already. A couple of things I would like us to do—they put together a very comprehensive marketing plan at the beginning of every year. I would like for CVB to come before the Commission and present that marketing plan so everyone is fully aware of the scope of the marketing efforts that are going to take place, that are planned to take place, because I’m not sure that members of the Commission are fully aware of the scope and depth of said plan. I would like to see them come before us. I would like to have another presentation at the end of year with how did we do, lessons learned and then I would like to find at least one matrix that allows—that in addition to hotel nights, at least one additional matrix that we could use as kind of a return on investment matrix that says we had an impact on Convention & Visitors tourism business within the Unified Government. I keep going back to, and again, CVB Board has heard this from me already, I keep going back to the study that was done. I believe in Longmont, Colorado and there is like a quasi-scientific paper that has been published on this study from about ten years ago where there were some return on investment matrix’s that were referenced and I believe developed for that study. I would like our Administrator and CVB staff to look at those and see if any of those can be pulled over for us to use and as far as I’m concerned beyond that I think we’re good.

**Commissioner Kane** said I’m surprised we’re here. I thought the motion was clear, precise in that they knew they had to come back and show a little something and then when I heard that we hadn’t talked to them much and that we were meeting tonight I was a little shocked and not a happy camper. I think that it seems like we’re still hanging a carrot over their head and I do agree that we do need to see some stuff from them but it seems like we’re dragging things out. I think we’ve given them the guidelines to go by and they’re going to tell us what they’re doing and then if they’re not doing as the way as the Commission as the whole sees it, then we will adjust from there. I was very disappointed to be here today.

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**Commissioner Walker** said I left the meeting with the impression that the issue that we voted on was to discard consolidation of the entities, nothing more. I think that Commissioner McKiernan has stated it succinctly that we need to have measureable performance goals for, maybe that’s not the right word. I mean we build a casino and hotel rooms go up, that’s not because CVB increased the number of hotel rooms. That’s because we built the casino. We built Sporting and hotel rooms go up. That to me is not the measure or the standard of performance, not that I can articulate to you what a good standard is, but I want to know what the impact of our dollars is apart and separate from what we may be promoting or if we build another attraction with a developer that draws people in on a regional basis. I guess it’s my feeling that they’re going to stay at hotels in our community and I’m not sure how that relates to what the CVB is doing so I guess I’m agreeing with Commissioner McKiernan and as a lawyer I’m fine with extending the contract through 2016, but I’m not fine with extending it until we have the contract nailed down including the quantifiable goals. It’s as simple as that. I wouldn’t recommend anybody to sign a contract until all the terms are agreed on. That’s where my confusion was, did we vote to rescind the earlier termination of the contract. I didn’t feel like we did. I felt like we had just killed the consolidation idea and we were still in the same boat. It may be me that was the only one that left that meeting confused, but that’s where I’m at on it and it’s the first of June, we have plenty of time to articulate and define a contract and enter into it for the extension of the contract and revoke the recension through 2016.

**Commissioner Bynum** said I was not an elected official when the discussion and motion was made but I went back and read the minutes and I’m not clear on the final decision that was made. The final motion that I read was put it back the way it was. Motion carried and I left wondering put what back the way it was. So if there has been a vote in fall of last year to have their contract run through this year, then what are we putting back? I guess my comment is we do need to work on what matrix it is we’re asking for. I don’t know who needs to take responsibility for that but I don’t think we have plenty of time. June of this year, in my opinion, is not plenty of time. I sat on the CVB Advisory Board prior to its new iteration and my recall from that time is that CVB folks are working on 2016 items now and they are doing that without knowing if they have a contract next year and so that concerns me a little bit. That’s why I would say I don’t think we have plenty of time. I would like to know what matrix are we asking them to measure,

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what impact are we looking to see, and how quickly can we develop that and provide that to them or work with them to develop it so that we can put a contract in place for their 2016 year.

Commissioner Townsend said I was in attendance at the meeting where the vote to consolidate or not was taken. I had a little bit different perspective because I was voting from home during my recuperation. Looking from that perspective to me it seemed pretty clear that the only issue before the body that night was weather to consolidate or not and the decision was not to consolidate and leave things the way they were. I believe it was Commissioner Kane who made that motion so to me that seemed pretty clear. Apart from that, one of the things that I thought in reading the study that had been prepared that I thought was workable or doable was Option 1B, however; leaving things the way they were, the two entities separate still gives us an opportunity to do something that the Mayor had talked about and that was branding. I would like to see that issue explored even with the two groups separate. That could be one of the things that we talk about so when you see whatever it is, like when I see that logo I know it’s the Unified Government. That’s something I think this body can control and say we want this slogan, we want this brand, we want people when they think of that brand, that slogan, whatever it is to know they are talking about Kansas City, Kansas Wyandotte County and so I would like to see that explored.

I’m also concerned and I talked with Bridgette Jobe and other board members of CVB that all historical aspects or points of interest throughout the county are represented. I want to make sure that points of interest in the northeast end in District One, Fairfax, Kaw Point, Sumner, excuse me Commissioner Johnson; but I have to claim that as an alum, but the Sumner Alumni rooms; there are other things in this part of the city that I want to make sure are promoted and Ms. Jobe said she is going to do that and I appreciate that and so those are the things I would like to see as part of it.

Commissioner Philbrook said so I guess I wasn’t confused—the only one confused. I’m still confused. What I was going to ask, is it possible for administration and Bridgette Jobe and her party to get together and come up with some measureable matrix in that time period within that month? Mayor Holland said I think our hope is to give Mr. Bach and the CVB, and if we choose to WYEDC because WYEDCs contract is a year-to-year contract as well, to give them

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some ideas about things that we think are important that they can take back and craft a contract together with the CVB Board meeting in talking about these are the things the Commission brought that they’re interested in. They can come back with recommendations and Mr. Bach can draft up a contract that states those things and then bring it before us and we can say yes, that’s what we want, that’s what we said. My expectation is, and I think this is always true, they’re going to come up with things that we didn’t think of in terms of matrix’s because they are fully aware of the job that they do and they are going to bring more forward yet and then we can look at it and vet that. One of the things I would say we haven’t done with our contracts with either organization is give much direction to them in terms of what we want and the report said if you don’t give them direction, you can’t expect them to be accountable for it. Commissioner Philbrook said, Mayor, for clarification; you put the two together so are you talking each individual entity come back with measureable items as individual entities, correct? Mayor Holland said correct. Commissioner Philbrook said I just wanted to make sure. Mayor Holland said I think the vote was clear. Commissioner Philbrook said I understand but I just want to be excruciating and painful—Mayor Holland said I’m hard headed but I saw that. Commissioner Philbrook said that’s alright.

Mayor Holland said I would say I would like to echo some points that were made. I want to agree with Commissioner Townsend. I would like to see in Kansas City, Kansas a joint branding for our community that is unique. You know one of the things I see when I look across the river at Kansas City, Missouri, their Convention & Visitors Bureau has a brand, their Economic Development Group has a brand, their Chamber has a brand and the Mayor’s office has a brand and so you have all these different brands out there that represent Kansas City, Missouri and they are all working for the same city. I would like to ask the two groups in each contract to ask for a joint marketing and branding component that we can pull resources for and raise the caliber of that branding that ultimately this group would probably need to approve in terms of that effort. I think there could be some branding for KCK/Wyandotte County that would be beneficial for tourism as well as for business attraction and retention as well as other business that we have to do. I think that branding piece is something that I really could be excited about. Commissioner Philbrook said so you would call that partner branding. Mayor Holland said yes, I would call it a partnership because if you look now there are three different brands and I would invite—we

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don’t have much to say, we don’t have a contract per se with the Chamber of Commerce because we contribute very little money to them just as a member. It’s not nothing, but it’s relative to $200K and $700K, that’s not very much. I would ask all of those groups to look at a joint branding/marketing project where we could say that’s the brand for Kansas City, Kansas, and everybody that’s trying to talk about Kansas City, Kansas, to make it more universal—I mean you look at the brand on the screen right now, it’s Microsoft’s brand, you don’t have to use a word to it; you just know that’s their Windows logo. I think to have something that’s immediately recognizable for Kansas City, Kansas particularly, Kansas City, Kansas/Wyandotte County would be great and I think the Unified Government needs to have its own logo and its own brand. I don’t think we’re trying to brand the government here. I think we’re trying to brand the community so I think that’s an opportunity. Commissioner Philbrook said I can understand WYEDC and I can understand the Convention & Visitor’s Bureau but to loop the Chamber in there, which is a completely separate entity and does not represent us, that could be a problem. Mayor Holland said I would just invite them to see what that would look like. Maybe we don’t end up partnering with them but I just think if people are marketing our community we ought to be marketing the same brand. That’s my view and so I think we ought to explore it and see what happens with it and so that’s one recommendation.

Another is I think there could be some joint event planning. I think there is all kind of events that, again, going with a similar branding if you have similar events that reinforce that; I think that could be beneficial. I don’t know what that looks like.

I want to reiterate what Commissioner Townsend said as well. Not only historic points throughout the community, especially minority events and attracting of minority conventions. I know there are a lot of minority conventions, smaller conventions that come to the Reardon Center and to the Hilton Garden Inn where that 20,000 sq. ft. is enough space for a smaller convention. I think some intentional marketing for those events and packaging for those events would be well received. I mean the greatest asset we have in our community is diversity. We have a greater level of diversity than any but one county in the country. There are only two counties that have all three minority groups, White, Black and Hispanic; all have above 25% and that’s pretty remarkable diversity that we have that we need to celebrate in our promotion. I think that’s something that could be marketed as well and so those are the three things that I’m thinking about that I would particularly like to see moving forward.

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Commissioner Kane said like Commissioner Philbrook I’m more worried CVB and Economic Development than I am the Chamber. Our Chamber is hooked up with the state Chamber and the state Chamber has not done this municipality any good at all so I would not want to see that, not that I dislike some of the members on the Kansas City, Kansas Chamber, but the state Chamber has just absolutely jammed us and I’m not interested in helping them in any way. Mayor Holland said I will echo the sentiment; the state Chamber has jammed us in a number of ways.

Commissioner Bynum asked is there benefit, Mr. Bach, you said Wyandotte EDC will be here in July for a presentation, is there benefit to us to have the CVB bring us an informative presentation at this time or do we feel that we, as a Commission, are familiar enough with their mission and their scope of work that we don’t need it. I ask it as a question. Mr. Bach said I may ask Commissioner McKiernan to comment on that because I believe and I think he has learned a lot of things about the CVB by sitting there. I would probably contend the answer to that is no that you’re not that intimate with it. I’m not either so as we talk about development of some of these measurable goals, a lot of what I think is that Bridgette and her staff has a lot of things that they would probably easily translate into goals for what they’re doing now to be able to present to us. Show us if these are things and they become part of our contract or at least the methodology of presenting these and showing these to us as part of our contract that we may look at and say that’s great, that’s good, you’re right on track or based on some of the things you guys have commented today you may want to tweak that a little bit and say we would rather you put some more emphasis over in this area or these areas of the community that you want to work on. I think you are right on that you probably don’t know what they’re doing and just from the standpoint that none of us has had that presentation and unless you spend a lot of time with the annual report and still that doesn’t do the same as having that information presented to you.

Mayor Holland said I would add to that in terms of doing a presentation I would probably give them some time to work this up. I don’t want to give a presentation right now and then work on their goals and then come back and give another presentation. I think we can give them some time. We’ve already committed to their funding through this year and next in terms of extending the contract, assuming it’s the contract that we want, and so I think we could even give them through the summer to work on that and pick a time in August or September where
they could come back and bring those goals to us that they have been able to work on together and then we can vet that at that time. The money we have allocated is going to come through on the budget. I think that allocation is separate from the contract in terms of what we ultimately sign. I think that presentation could come later. That’s my view.

Commissioner McKiernan said certainly one of the things that I’ve been recommending to the CVB Board from my perspective is that they do come and give us a presentation. They put together an amazingly complex and detailed and broad in scope marketing plan that I would not do justice if I brought it back here. They have given us some paper copies of that in the past and that’s all well and good but the paper copy doesn’t really allow them to elaborate on how it was constructed, what the thought behind it was, how it gets—it’s just a spreadsheet. I think if they were to come before us they could bring that much more to life and really give us clear insight into this broad-based and very comprehensive plan that they have. They have heard me say, and they know it is more; they are doing more than just hotel nights. They are doing way more than that. I just want them to communicate that to all of us because I think we will all be pretty amazed at what they put together on annual basis and how they pull it off. I can guarantee you they already know a lot of matrix’s that we could use. The question we have to come up with, is that the right one? Do we want to use that and we can figure all that out.

Mr. Bach said I just want to clarify in where we’re at. Our current contract runs through November of this year. Maybe to join together the points you’re saying is and there is no intention here that we’re not funding them through 2016 and probably beyond, so maybe it’s a matter of an extension of the contract that commits the funding through 2016, that they have all that in hand and then we develop the terms of our expectations and that could be some of the negotiation or discussion that we can have—I could have with that and maybe with the two Commission members that are assigned to that committee have some input on that. Then that comes back later in the year and that kind of be an amendment that’s added to the contract. That gives them the comfort level of knowing that money is there through the year and then we can work on that and modify how we do that. That could be something that can be developed because quite frankly based on our schedules and we hit the budget here coming through July, you’re not going to want to be focusing on what you’re doing with the CVB terms, but that is

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something we could come back as that’s developed for 2016. Mayor Holland said I interpreted the vote that we were planning on extending them through 2016. That is how I interpreted the vote from the Commission and so I think having that verified and the goal piece is an additional component of that as we work through it. As we wrap-up, Commissioner Walters or Johnson, do you have any comments that you would like to make in respect to this.

Commissioner Johnson said I just have a very short question more or less and it seems like, and because I’m a newbie I don’t understand all the dynamics here, we’re asking for direction from both or just the CVB? Mayor Holland said I think both. I think we want measurable goals from both WYEDC and CVB based on the investments that we make in each organization. Commissioner Johnson said okay which I totally agree with and totally support.

Commissioner Walters said I will just repeat what some other commissioners have said. My recollection of the sequence of events was we were talking about consolidation. It was raised that if we’re going to consider consolidation because of the length of time for Notice of Termination, we better do that now because if we want to consolidate, we have to give them proper notice. In my mind when we decided not to consolidate, though it wasn’t stated, we always intended to continue funding that operation. Those things were always linked in my mind so I think the proposal that you suggested is very consistent with our actions.

Mayor Holland asked, Mr. Bach, do you need any other further direction. Mr. Bach said it’s great.

Mayor Holland said we want thank the folks from CVB for being here tonight and Greg from WYEDC.

Mayor Holland said our next item is an update from Topeka, fresh cut from Topeka. Mr. Taylor said I don’t know how fresh I am, but I’m here. Mayor Holland said I should formally say Mike Taylor, our Legislative Lobbyist in Topeka.

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Mike Taylor, Public Relations Director, said today was day 105 of a 90 day session. It is the second longest session in the history of the Kansas Legislature which I think will be exceeded. The longest was in 2012 and it was 107 days. It cost $43K a day to keep them in session so we’re now at $645K of unbudgeted cost as the lawmakers wrangle with the situation they are facing.

To give you a quick overview of what has happened because a lot of things have been moving quickly, but you know the retailer Target has a motto: expect more, pay less. The legislature seems to be flipping that around, expect less pay more. That’s where we’re headed.

They passed a tax plan today that is not finalized but they are negotiating on it that would raise the sales tax to 6.65% up from 6.15, but then on January 1st it would drop the sales tax on grocery store food to 5.9 which I think would be a positive for our community certainly. It would increase the cigarette tax 50 cents a pack. It would freeze the income tax rates at the two levels from the reduction of two years at 2.7 for lower income folks and a 4.6 for higher income folks.

There has been some discussion about needing to put the tax back on the LLC sole proprietorships that have avoided paying any income tax. The Governor has threatened to veto anything that comes close to that and so legislatures are kind of backing away from that although there seems to be some support.

This tax plan would leave an ending balance of $11M. The House passed a budget yesterday which is $400M short of being paid for so you can see they are kind of working two tracks. They’re working a tax plan to generate $400M plus in new revenues. They have to fill the $400M hole in the budget.

They also now have a second budget plan that would fill the hole by cutting every agency in the state an additional 5.7% across the board. That would be a $450M reduction in the state budget which would affect every entity and here’s the deadline pressure. Because of the way the states pay cycle works if they don’t get something done by Sunday, as many as 66,000 state employees will have to be furloughed because they won’t get that paycheck until July 1st which is the first day of the state’s new fiscal year and there won’t be any money to pay them. That’s the pressure that they are facing as they try to work through all of this.

One of the things that I’m looking at, and it’s hard to know right now, but if in fact they go the route of cutting that much more out of the budget; we will have to really analyze what’s

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the trickle down to local government, how is that going to play out, and what other duties are there that we have to perhaps pick up. It’s too early to know that now.

I said to some of you that it’s a very dangerous time over there because a lot of folks are just sitting around waiting for things to happen. There is a lot of hurry up and wait kind of things and they are trying to assemble enough votes, 63 in the House and 21 in the Senate, to get something passed and they are in major disagreement. The Republican Party has fractured over whether we cut more spending, if we raise taxes and some of those disagreements are pretty strong. It was a political move, but out of the blue on Tuesday a Senator from southeast Kansas trying to get some kind of a tax plan passed out of the Senate, proposed a property tax lid on local government. There was never a bill this session, there was never a hearing, there was never any discussion of it; it just kind of boom and there it was. So, we scrambled, and I say we; myself, my colleague from the city of Wichita, the League of Municipalities, Association of Counties and the bill was so unworkable. That’s what happens when you try to cobble together public policy on the floor, make it up as you go. It would have required—the gist of it was that if your revenues exceeded what they did last—exceeded the CPI, the Consumer Price Index, over what it was last year you would have to have a public vote. The public would have to approve that budget. The bill called for the vote to be held on August 1st or the first Tuesday in August. As you know the timeframe is that’s about the time we’re actually adopting the budget. It’s not certified until August 25th so the timing doesn’t even work. Well, we went to work and we got both the House conferees and the Senate conferees to agree to take that out this morning so good news, a victory, we got rid of that. The Kansas Policy Institute-Americans for Prosperity already told us we’re coming back with this next year and I just said at least I’ll have time to write testimony instead of you pulling out at 3:00 in the afternoon so we will have to watch that. It’s not unlike the Truth in Taxation measure that passed last year that we now have to do on the budget if revenues are exceeded, but that just requires you all to vote an extra vote. This would have required a public election on that.

There have been a number of costly bills that we’ve been able to luckily stop. There was a proposal to change the way motor vehicles, cars are taxed in the state and working with Lew Levin we calculated that would have cost us $3M a year in lost revenue.

There was a proposal to put sales tax on all the purchases that local government makes and the way they wrote the statute that would have included the concrete or the asphalt that we

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buy to put down for a new street or the pipe that we buy for a new sewer or the paper we buy for the copy machine. We don’t know even what that financial impact would be but it would be a lot. That idea kind of got shot down luckily.

There was another bill that would have mandated that all police departments in the state have every officer wearing body cameras. That bill went away. Again, the cost was a major issue in that and I know our police department, as are many others, are looking at that issue and some have started to implement it but the cost factor—so again, it was the idea of the Legislature mandating something on us that we would have to pay for so we got that stopped.

There was a bill that would have affected the way we do bonds in Municipal Court which working with Judge Ryan it would have had a fairly sizeable fiscal note. We were able to stop all of those.

Today, some good news, we will see if it finally passes; but a very recent issue with the idea of the Motor Vehicle Registration Notices going to the postcards, the Senate didn’t like that idea and so they convinced the House negotiators to block that. It was going to be a $500K a year savings for the Department of Revenue but it’s in the Conference Committee Report to not do that. We have made a decision to go ahead and print the notices ourselves the way they currently look at a cost of about $45K so we may be able to save that money after all. We will have to wait to see what the final vote is so that’s another one.

All these bad ideas there is an old saying that if you want to live forever, just keep walking around the State House because nothing there ever dies and it’s especially true on bad ideas. We will have to keep watching.

Mr. Taylor said let me give you a quick update on some legislation that we brought and it has not advanced. Luckily it will stay alive into next year. The abandoned housing piece dealing with blight and abandoned housing, we got it out of the Senate Committee and onto the General Orders calendar, but they failed to run the bill because of some opposition that came out of Wichita at the very last minute. Some conservative, kind of Libertarian folks who had not engaged in the debate, and it has been a debate going on for four or five years now, and raised the whole spectrum we’re stealing people’s property, and so we had to reengage and do all of that so the bill is still sitting there. It’s still alive, it’s sitting there.

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Our proposal to increase the interest rate on delinquent taxes because they lowered it last year, I got it passed out of the House Tax Committee, and it’s sitting on General Orders.

Our bill to deal with these little de minimis checks, the checks for less than $20, some for 10 cents that we have to truct at a very big cost; got that bill passed and we got a lot of support for that bill but it’s sitting on General Orders. The reason it’s still there is because the House Speaker, since it came out of Tax Committee, it’s a tax bill which means it’s amendable so he was afraid to put them on the floor for a debate even though the bills themselves had support because of what amendments might come. I’ve basically had them sitting there since early March and can’t them to run General Orders because they’re afraid to for what might come.

The Mutual Aid Law Enforcement Bill that will let our officers go into Missouri and vice-versa, Missouri has already passed that; it got caught up in some politics particularly from the Johnson County Sheriff who didn’t like it. We worked with him and thought we had his problems resolved, the issues resolved, and the bill just kind of got stalled. It’s, again, sitting on General Orders just waiting for debate.

Medicaid Expansion, there were hearings. That issue is not completely dead. There is a lot of opposition to it from certain legislators, a lot of ideological opposition to it; but it also would bring a lot of money into the state and it could end up playing a piece in the budget negotiations. We’ll see, I’m not giving up hope on it. It’s slim but it’s still somewhat alive.

Public Employee Guns, there was a bill that would have superseded our Personnel Policies and would have allowed our employees with concealed carry to carry on the job. That bill hasn’t moved, it’s not going there and I heard the lobbyist for the Kansas Rifle Association lamenting that fact today that it hadn’t moved. Again, it’s still alive; it’s just not going to get done this year so we won’t about it for a bit.

All the issues that came up with KPERS at the last minute that caused all kinds of concern for a lot of our long time employees, that bill has gone away and is not going to happen. The only bill they really passed on KPERS involves working after retirement. If you leave a KPERS organization, your retire, you can start collecting your pension but if you go to work for another KPERS organization, as a post retirement job, you can still continue to draw your pension from the first job until you earn more than $25K in the second job and then you can’t collect the pension anymore while you’re working so the payments would stop. Once you quit

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that job or if you made less than $25K, you would get your pension back so it doesn’t take a pension away, it just doesn’t let you draw the full thing if you’re working a second job. It does not affect Police and Fire because they’re Police & Fire Retirement Fund so that one had a lot of employees concerned. In fact I was talking to Ron Green in the earlier incarnation of this thing, we had dozens of employees that were just ready to walk out the door and take their retirement and go. We were able to get that stopped as well.

One bill that did pass that we opposed although I’m thinking we should declare it a modified victory is the City’s Election Bill. That bill originally started out moving them from spring of odd number years to the full of even numbered years on the same ballot as the major Presidential statewide races and to make your offices partisan. What we ended up with was a bill that says we will move them to the fall of odd numbered years and the positions remain nonpartisan. I don’t think it will stop there. The supporters of this kept saying this is about getting increasing voter turnout and we brought a lot of other ideas. How about doing mail ballots, how about Saturday voting, we brought a lot of progressive ideas that some other places are doing. They didn’t want to do any of that. They just wanted to move them to the fall and we’ll see. I think if it doesn’t show substantial increases, and even if it does, I think we will see probably after 2017 another measure to make them partisan and move them to the even numbered years. You pair that with a bill that the Secretary of State did not get through this year, he would like to see in all of our voting machines straight party ticketing, straight party voting so you basically have an R and a D and you could just walk in and hit the D or hit the R and it would vote straight down the line automatically for those candidates. You pair that with making the school boards and city councils partisan—I don’t want to be a conspiracy theorist but I tend to be just a little bit in this case. It’s what I call the world domination plan.

The Lobbying Bill which was really ridiculous, it would have first put me out of work in terms of the lobbying, no publicly funded lobbyist. We went from that to we want to know what all the associations that you pay money to that do have lobbyist which was untenable in the way it would work. I’ll just use an example, we have a membership in the KCK Chamber as most cities belong to their local Chamber; well the Chamber has a lobbyist so we would have had to report the full price of our membership as we’re spending that on lobbying. The KCK Chamber belongs to the state Chamber which has a whole bunch of lobbyist so we would then have to track what does the KCK Chamber pay the state Chamber and report that. The state

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Chamber belongs to the US Chamber so we would have to track and we would have to report all of that for every association that we belong to; the US Conference of Mayors, the Public Works Directors Association; it was so ridiculous. What we have it down to now is I will have to file a report that basically says here is what I’m paid to go lobby. We got it stopped there but for me because I do more than that I will have to figure out a way to prorate the salary somehow. If we would go out and directly hire a lobbyist, a lobby force, we would have to report that cost. It’s a lot more workable and that’s part of the Election’s Bill.

Part of that Election Bill I’ll mention because it was filed about us, it does have a provision in there that if there is a vacancy on a City Council or a Commission, it must be filled within I think it’s six months of the vacancy by whatever means that local governing body wants to use, but it must be filled. It can’t sit vacant. Mayor Holland said that would never happen.

Mr. Taylor said one bill that has gotten a lot of discussion, a lot of local media recently involves the Woodlands. I want to talk a little bit about that. The bill was introduced as it has been for the past six or seven years that would try to create a scenario where the Woodlands could potentially reopen. Our position for seven years now has been the Unified Government supports the Woodlands reopening with a full slate of dog and horse racing and slot machines under the current law. They could open tomorrow under the current law. The problem is the percentages—some new ownership potentially got involved and interested and they said we don’t like these percentages; we need to change it and be able to keep more of the money from the slots ourselves. That created an issue of inequity with the casino and, in fact, the horse and dog people were at the table when the bill was passed in 2007, they were at the table, and the signing ceremony, one of them was held at the Woodlands. Governor Sebelius came and signed the bill and they were happy, they were going to get to reopen. Things changed. The current owners have expressed absolutely no interest in reopening it as a racing facility. Part of the other problem is that we solve—the reason we took the position we did was creating an inequity with the casino which had to make a minimum investment of $225M. The racetrack is no requirement for any investment although the place is falling down so they would have to spend money fixing it up, but they would not be required to meet a certain threshold of investment. It would only pay the local government 2% whereas the casino pays us 3%. There would be no dog racing whatsoever under this proposal. It would by 60 days of horseracing and 365 days of
2,800 slot machines and that created a lot of concern for the casino in terms of unleveling the playing field. The casino would have to pay a much higher percentage of their take to the state than the racetrack would. Some of the issues that were talked about was it basically would be breaking the contract that the casino has with the state and there was some discussion about saying there would be a lawsuit and the casino would demand its $25M privilege fee back from the state because the state would be breaking the contract. Our position has been consistent all along. What has happened to the bill is that the Senate did pass it, but when it went to the House the House Speaker was not interested in taking this topic up one bit and particularly this late in the session and he said my members are not interested in this so he assigned it to a committee called Calendar & Printing which is made-up of leadership. What we jokingly call is the committee where bills go to die. He assigned it to a committee that will never have a hearing. The bill will still be sitting there safely tucked away but that’s the situation with the Woodlands.

I want to leave time for questions, but I’ll hit two other things that I’ve tried to do. The Urban Opportunity Zones Bill which got introduced and I’ve worked with Greg Kindle, Commerce Department, city of Topeka, city of Wichita; it’s a proposal the Governor had to pick certain zip codes in those cities, Topeka, Wichita and KCK; and do something a little bit like the Rural Opportunity Zones where you can try to do some new unusual incentives to maybe get people to move back or open businesses. We gave them a lot of good ideas what to put in that bill and they didn’t put any of them in there, they just basically took the Rural Opportunity Zone and changed the word rural to urban and introduced the bill so it really wouldn’t do much. I’ve had conversations this week with the Governor, with House leadership about maybe getting a summer interim committee, they will do those in the fall where—sort of a study committee to look at it and maybe we can work together and get a bill constructed in that summer/fall period that we can bring January 1st that actually does something that would be beneficial. I’m working to try to get that done. The city of Topeka is onboard with me and the city of Wichita and I think we can actually get some bipartisan support on that bill given the makeup of those delegations. That’s one thing we’re working in the future.

The one solid victory I’ve had this year is the 110th Street & I-70 Interchange can be named after Bert Cantwell but we have to raise almost $10K first to pay for the signs.

I will stop there and open it up for questions.

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Commissioner Kane said the former Commissioner Miller can raise the $10K. One of the things that maybe Mike, and it would affect us here, but the employment change will be July 1st where they’re going to reduce the amount of time that you can get it which once again it will directly affect Wyandotte County. I’ve talked to the guy running the unemployment and if you make a mistake now, you could lose your unemployment for five years. This is all gaged to once again form the gap and that’s why I don’t like the Chamber, is make the gap bigger between the less fortunate and the more fortunate.

One other thing is, Mike, we know lobbyists aren’t cheap.

Mayor Holland said I have a couple questions. The courts are coming out with a ruling on the schools funding. What impact may that or may not have on what’s happening? Mr. Taylor said depending on what the court decides it would be like a nuclear bomb going off really because the suspicion is that they are underfunding the schools. Remember, I mentioned earlier about this other budget that’s out there that would just fill the hole by cutting corners by $50M, it would cut public schools an additional $180M. I don’t think the court is going to tolerate that and so that could be a very big issue that they’re just hoping doesn’t happen or goes away. It is one that could shake this up. We could end up back in a special session at some point if the court—depending on when they come down with that ruling.

Another issue that’s gone on that could have a big impact is and this has got national attention, is the judicial budget for all the courts in Kansas was passed separately from the main budget and what the Senate did, and the House passed it just to keep the judiciary funded. They passed a law last year that said that the local judges in each district around the state will appoint their own administrative judge. The State Constitution, since an amendment was approved in 1972, says the Supreme Court of Kansas will have administrative authority over all the courts in Kansas so they’ve always appointed the administrative judges. What the Senate did, and the House approved it begrudgingly, said if that law is overturned by the Supreme Court as unconstitutional, the funding the $100M budget for all the courts in Kansas is suddenly defunded. There is a lawsuit winding its way through the courts so when it gets to the Supreme Court and the Supreme Court actually says well it’s very clear, it’s right here in the Constitution, this law is unconstitutional; the courts in Kansas will shut down because they will not have a

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budget so that’s another one to keep an eye out on. **Mayor Holland** asked is that blackmail. **Mr. Taylor** said I think the word blackmail was used or extortion was used.

**Mayor Holland** said I’m delighted to hear they are considering reversing their position on printing notices for car tags. We did discuss that we were going to go ahead and do that. I think if we do end up printing them ourselves, I think we need to print clearly this notice is provided to you by Wyandotte County because the state choose to stop funding their own liabilities. I think there is a way to phrase that to tell every citizen in our community why they are getting a report from us instead of from the state where it belongs.

The constitutional issues around elections, the voters voted for our term to end in April, 2017. Does the state have the authority to extend our office six months? **Mr. Taylor** said that’s in the bill of course because you have to do a transition to get you to January 1st so literally yes, it would extend your term by six months beyond what you were elected for. Through the League we’re looking at that question because we’re fearful that they may not have the authority to do that and we’re concerned. Let’s say that we’ve got another big economic development project coming to the community and it gets discussed by the Commission and contracts are signed and all of that by an official who is serving three months pass the term he was elected to serve. There is a lot of concern that’s going to make bond attorney’s very nervous, it’s going to make financiers very nervous and so it’s a question we’re looking at and we’re kind of letting the League, because they have a much bigger staff of attorney’s, to take a look at that. It is a question that’s causing a lot of concern.

**Mayor Holland** said one of the things I would say about the Woodlands, I agree that—I couldn’t support locally issuing a special use permit for gaming that would undermine our casino and its 900 jobs; I think that would be irresponsible of us as a community to support on a local level. I would suggest, even if the state does allow it, that doesn’t mean we have to allow it in our community to undermine our own gaming interest. I think that would be very problematic and I would say I would support the Woodlands coming back online under the current law and not with percentages that undercut our casino. **Mr. Taylor** said, Mayor, that’s been this Commissions position for seven years and that’s the position I represented. The other quick point I will make on that is under this—as you know we were able to negotiate development

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agreements with the casino for charitable giving and that kind of thing, none of that exists for the track if it reopens. They wouldn’t have to do any of that.

Commissioner Townsend asked, Mr. Taylor, could you refresh my recollection I think with regard to the zone improvements that you mentioned. I’m not entitling it correctly. They had the rural zone. Mr. Taylor said the Rural Opportunity Zone and the Urban Opportunity Zone. Commissioner Townsend said I guess it was some months ago when some of the legislators were here and I think they mentioned specifically 66101 being one of the zones. What were some of the things that your group recommended to include in that that would be a distinction and benefit the urban areas as opposed to the rule and is there anything that people in the zones that would be affected could do to aid you at the state level? Mr. Taylor said I think possibly down the road. I think there could be. One of the things the Rural Opportunity Zone did and it was to try to attract people back to—for example, if you moved in from out-of-state, say you just graduated with a Dental Decree from the University of Nebraska and you wanted to move out to the western Kansas community and set up job, if the county agreed the state would help pay off your student loans, income tax would be waived for five years. We’re looking at some things and Greg Kindle has some great ideas that would be more of sort a TIF component for if someone comes in and say buys a building in one of those zip codes and renovates it, like happened on Minnesota Avenue, you could take the increased value of that and the community could use it to then maybe redo the curbs and gutters on that block. Those kinds of things so there are a number of ideas. This bill was just rather disappointing the way it came out but I think there is a lot of interest. A Republican named Gene Suellentrop out of Wichita had a lot of conversations. He is very interested in it and so I think we can get some movement on it but we want to make sure if we’re going to push it, it’s a bill that will actually help our community. I will keep you posted on that as it goes. It will probably be fall before we would really have hearings on it. The goal would be to try to get a bill ready for next session. Commissioner Townsend said my thought is there may be organizations within those zip codes that could do letters or testify or whatever. We just want to know what it is that we could do, if anything at all, to help you on that. Mr. Taylor said I will keep you posted on that and once we get a strategy we will talk about that.
**Commissioner Walters** said regarding the Woodlands, you said the proposed legislation created a situation of inequity between the proposed Woodlands reopening and the casino. Could you explain that a little bit? **Mr. Taylor** said the casino in order to get the bid, and we went through a very lengthy process with a number of proposers to build the casino, they had to commit to a minimum of $225M in investment before they could even be considered. The racetrack facility would have to commit to zero investment. The casino has to give up a much bigger share of its revenues to local government, to the state, than would the racetrack gaming facility. **Commissioner Walters** asked can you go through those percentages. **Mr. Taylor** said the owner of the racetrack facility would get to keep 64.5% of the take which is much higher than what the casino gets to keep. Ten percent would go to the horseracing purse to pay for the races, the winners, the county—city/county we would get 2%. The Problem Gaming Fund would get half a percent, the Kansas Fair Racing Benefit Fund would get 1% and the state would get 22%. The racetrack would not have to sit down and negotiate with us on a development agreement such as we did with the casino where they agreed to fund charitable causes and some of the other monies they give us. The casino would basically have to be giving away a lot more of its revenue than the racetrack would and the concern is it’s a mile up the road and they could have as many as 2,800 slot machines there. **Commissioner Walters** asked what is the percentage the casino has to give up. **Mr. Taylor** said, Commissioner, I don’t have that right now. **Mayor Holland** said, Mr. Levin, can we get those numbers to all the commissioners, that comparison in terms of what’s proposed for the Woodlands and what the real numbers are in the contract for the casino, at a later date obviously if you don’t have it off the top of your head, though Mr. Levin may have it off the top of his head. I think those are numbers I would like to have for all of us to see that comparison because that’s a relevant piece about this particular position. **Mr. Taylor** said I would make one other point that even long before I was living here I know in reading the history that the community had always said we want a destination casino, we don’t simply want a giant slots parlor and that policy goes back to the 1990s in this community. Our fear is the racetrack would become a giant slots parlor. Have 60 days of horseracing and 365 days of slots. **Commissioner Walters** said when you say our concern, who is that? **Mr. Taylor** said I’m saying the community. The Commission and the community in general had expressed that sentiment going way back into the 90’s. **Commissioner Walters** said alright, just curious.
Commissioner Bynum said I’m still trying to understand the benefit of moving local elections to the fall of odd numbered years. What is the benefit of that? That’s my first question. Second question is did legislation pass around taking away local control over placement of political signs on the right-of-way? Did that pass? Mr. Taylor said yes it did. Commissioner Bynum said only with regard to political signs, no other signs? Mr. Taylor said only political signs and what that said was that despite what our sign regulations say you can put as many political signs in your front yard or your yard as you want 45 days before the election and up to two days after the election. It also says you can put those signs in the public right-of-way, the area between the curb and sidewalk. Mayor Holland asked can you put that in medians. Mr. Taylor said I don’t believe it allows that but it says public right-of-way so you will probably see a lot more signs popping up on intersection corners and that kind of thing. The one thing that KDOT actually—the Department of Transportation actually got involved with this on that one, because they said you’ve not said what size so you could come and put a 4x8 plywood campaign sign on a right-of-way of a street and then they were worried about blocking the site lines, vision, so we got that sort of corrected. Yes, they did preempt us. Commissioner Bynum said I’m just trying to understand what is the benefit of a fall versus a spring election in an odd number year. Mr. Taylor said the proponents of that say that the turnout in spring elections is always very low and people are used to voting in the fall so if we get them in the habit of every fall there will be an election, it will increase the voter turnout. That’s their argument. We made a lot of points where we don’t agree with that, we don’t believe that’s really going to happen. Our Election Commissioner came over when this first came up and testified and was very good. He presented a lot of logistical kinds of reasons why if you put it on the even number years with the long ballots, it won’t work because our machines can’t handle ballots that long but we will see where this goes. Again, I’ll just flat out say and I said it at Committee, so I will say it here; it’s a plan for world nomination. Commissioner Walker said now you will have to walk for your elections in the heat of June, July and August. Mayor Holland said it also doubles the length of the campaign season. Mr. Taylor said right, you will have a Primary August 1st and then the General won’t be until November. Mayor Holland said and the filing deadline is in June. Mr. Taylor said the filing deadline would be the same as for state offices. Mayor Holland said so it would double the whole length of time for the campaign season.

June 4, 2015
MAYOR HOLLAND ADJOURNED
THE MEETING AT 6:40 P.M.

Carol Godsil
Deputy Unified Government Clerk

June 4, 2015
Memorandum

To: Doug Bach  
County Administrator

From: Bridgette Cobbins  
UG Clerk

Date: June 4, 2015

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl

Attachment
Weekly Business Material for June 4, 2015

1. REPORTS:


Board of Public Utilities of Kansas City Kansas, 2015 First Quarter Unaudited Financial Statement Reports for the period ending December 31, 2015.

Action: Received and filed.

2. COMMUNICATION:

Melody Damour, Time Warner Cable Midwest, LLC, 8221 W. 119th St., Overland Park, KS, from Charlotte (Angel) Fitzgerald, District Office Coordinator, KDOT, granting permission to overlash fiber optic cable onto existing aerial crossing on I-435, 400' north of Swartz Road at RP: 11.0 in Wyandotte County, Highway Permit 1-15-236.

Action: Received and filed.

3. PUBLIC NOTICES:

Alandon Tow, 6224 Kansas Ave., listing vehicles sold at a public auction on June 2, 2015.

All Star Tow, 900 S. 66th Terr., listing vehicles sold at a public auto auction on May 26, 2015.

Action: Received and filed.

4. COMMUNICATIONS:

Lew Levin, Chief Financial Officer, regarding warrant cancellations:

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**Action:** Received and filed.
5. PERSONNEL ACTION COMMUNICATION, DATED MAY 28, 2015:

Section IV - Leave of Absence

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Section V - Increases per Memorandum of Understanding

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<td>Theressa S. King</td>
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<td>Janelle E. Smith</td>
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Action: Received and filed. Copy previously forwarded to Payroll.

6. PERSONNEL ACTION COMMUNICATION, DATED JUNE 2, 2015:

Section I - Appointments

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<td>Travis C. Lethrop</td>
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<td>Juanita P. Lopez</td>
<td>B&amp;L</td>
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<td>Kathryn L. McCullough</td>
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Section II - Transfer

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Section VII - Reclassification

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**Action:** Received and filed. Copy previously forwarded to Payroll.

### 7. PERSONNEL ACTION COMMUNICATION, DATED JUNE 4, 2015:

#### Section I - Appointment

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<th>Eff. Date</th>
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<th>New Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brenda L. Harris</td>
<td>PW/Parking</td>
<td>6/4/15</td>
<td>Parking Attendant</td>
<td>Parking Attendant</td>
</tr>
</tbody>
</table>

#### Section III - Separations

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sophia L. Barajas</td>
<td>Police</td>
<td>6/10/15</td>
<td>Sr Master Patrolman</td>
</tr>
<tr>
<td>Steven K. Chastain</td>
<td>Police</td>
<td>6/10/15</td>
<td>Sr Master Patrolman</td>
</tr>
<tr>
<td>Vince E. Davisport</td>
<td>Police</td>
<td>6/10/15</td>
<td>Police Major</td>
</tr>
<tr>
<td>Emmett H. Lockette</td>
<td>Police</td>
<td>6/10/15</td>
<td>Sr Sergeant</td>
</tr>
<tr>
<td>William J Norwood</td>
<td>Pretrial Services</td>
<td>6/1/15</td>
<td>Surveillance Ctr</td>
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</table>

#### Section V - Increase per Memorandum of Understanding

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nick R. Parks</td>
<td>PW/WPC</td>
<td>6/4/15</td>
<td>General Maint Worker</td>
</tr>
</tbody>
</table>

#### Section VIII - Other Requests

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Action Requested and Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Katrina Brennan</td>
<td>Health Dept</td>
<td>ACD change effective 5/21/15</td>
</tr>
<tr>
<td>Edith Valenzuela</td>
<td>Health Dept</td>
<td>ACD change effective 5/21/15</td>
</tr>
</tbody>
</table>

**Action:** Received and filed. Copy previously forwarded to Payroll.
8. CLAIMS FOR DAMAGES:

Marina M. Garcia, 3106 Wyandotte Circle, KCK, alleging injury due to falling on a speed bump.

Jessica Renee Ramirez, 1927 S. 31st St., KCK, alleging damage from parking lot arm hitting vehicle.

Action: Received and filed. Copy previously forwarded to Legal.

9. SUMMONS:

Stuart Rangel, vs. Unified Government of Wyandotte County/KCK, Case No. 2015-CV-000509.

Angela Reynolds, as administrator of The Estate of Craig J. McKinnis, Ciara McKinnis, Caprice McKinnis, Craig McKinnis Jr., and B.M., a minor child, by and through her next friend and mother, Darcy Potter, vs. Unified Government of Wyandotte County/Kansas City, Kansas, Kansas City, Kansas Police Department, and John and Jane Does, Kansas City, Kansas Police Officers, as yet unidentified, Case No. 15-CV-519.

Action: Received and filed. Copies previously forwarded to Legal.

10. TRAVEL REQUESTS:

Bridgette D. Cobbins, Department of Administration/Clerk, travel to Wichita, KS, June 5 – 6, 2015, to attend the 2015 Sanborn Master County Clerks Academy, Employee Training/Travel.

Emerick James Cross, County Administrator’s Office, travel to Charlotte, NC, July 9 – 13, 2015, to attend National Association of Counties, Community Programs.

David Thaxton, Sheriff’s/Detention, travel to Ocala, FL, July 12 – 13, 2015, to attend Close Quarters Riot Control Supervisors Course, SCAAP.

James M. Zeeb, Fire/Suppression/Hazmat Training, travel to Pueblo, CO, July 5 – 9, 2015, to attend Crude by Rail Course, N/A.

Action: Approved by County Administrator’s Office and received and filed.
Memorandum

To: Doug Bach
   County Administrator

From: Bridgette Cobbins
      UG Clerk

Date: June 11, 2015

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

cg

Attachment
Weekly Business Material for June 11, 2015

1. COMMUNICATION:

Stacey Baalman, Solid Waste Permits Section, KDHE, to Chad Bergmann, Stericycle, Inc.-KCK, 3140 N. 7th St., stating Permit No. 0831 for an incinerator, solid waste processor, transfer station must be renewed by August 16, 2015.

Action: Received and filed.

2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received on June 10, 2015, for CID Pump Station Bar Screen Improvements, Project ID 6220.

Action: Received and filed. Copies previously forwarded to County Administrator, Emma Scovil, Legislative Auditor, and Public Works.

3. COMMUNICATIONS:

Lew Levin, Chief Financial Officer, regarding warrant cancellations:

<table>
<thead>
<tr>
<th>WT. NO</th>
<th>ISSUED</th>
<th>AMOUNT</th>
<th>FUND / VENDOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>764905</td>
<td>5/1/2015</td>
<td>$20.58</td>
<td>564/Emergency Medical Services V #80631 Destroyed</td>
</tr>
<tr>
<td>759598</td>
<td>2/20/2015</td>
<td>$25.48</td>
<td>160/County General Fund V #J5056 Expired</td>
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<tr>
<td>752586</td>
<td>11/12/2014</td>
<td>$153.17</td>
<td>162/County Elections V #E2787 Expired</td>
</tr>
<tr>
<td>762351</td>
<td>3/27/2015</td>
<td>$69.96</td>
<td>160/County General Fund V #J5512/Amanda Danler Warrant Expired</td>
</tr>
<tr>
<td>757385</td>
<td>1/23/2015</td>
<td>$1,046.46</td>
<td>791/Tax Distribution V #T0212/Joseph &amp; Glenda Rider Wrong Vendor</td>
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<tr>
<td>764258</td>
<td>4/15/2015</td>
<td>$144.16</td>
<td>162/County Election V #E3123 Lost Warrant</td>
</tr>
<tr>
<td>760186</td>
<td>3/4/2015</td>
<td>$150.00</td>
<td>110/City General Fund V #X2051 Lost Warrant</td>
</tr>
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</table>

Action: Received and filed.
4. PERSONNEL ACTION COMMUNICATION, DATED JUNE 9, 2015:

Section I - Appointments

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zach B. Brown</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>Brian O Cobbin</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>Jon A. Coleman</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>Jesua A. Escobar</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>Delton M. Garrett</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>John L. Heintzelman</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>Delioa K. Henderson</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>David L. Hogue</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>John W. Stewart</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
</tbody>
</table>

Section II - Transfers

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Former Job Title</th>
<th>New Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vanessa Cadorna</td>
<td>DA's Office</td>
<td>5/21/15</td>
<td>Admin Supt Asst</td>
<td>Admin Supt Specialist</td>
</tr>
<tr>
<td>Mayra Flores</td>
<td>DA's Office</td>
<td>5/21/15</td>
<td>Admin Supt Specialist</td>
<td>Prof Programs Asst</td>
</tr>
<tr>
<td>Brittany Villegas</td>
<td>DA's Office</td>
<td>5/21/15</td>
<td>Admin Supt Asst</td>
<td>Admin Supt Specialist</td>
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</tbody>
</table>

Section III - Separation

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael D. Sullivan-Owens</td>
<td>Sheriff/Detention</td>
<td>5/21/15</td>
<td>Deputy</td>
</tr>
</tbody>
</table>

Section V - Increase per Memorandum of Understanding

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nytitia S. Sullivan</td>
<td>Finance/Treasury</td>
<td>12/19/14</td>
<td>Fiscal Supt Asst</td>
</tr>
</tbody>
</table>

Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED JUNE 11, 2015:

Section I - Appointments

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erin L. Chappell</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Lifeguard</td>
</tr>
<tr>
<td>Terrance L. Henderson</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Leader</td>
</tr>
</tbody>
</table>
Section II - Transfers

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Former Job Title</th>
<th>New Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brandon A. Stevenson</td>
<td>B&amp;L/Security</td>
<td>6/4/15</td>
<td>Security Officer</td>
<td>Security Officer</td>
</tr>
</tbody>
</table>

Section III - Separations

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Janet K. Bunce</td>
<td>Fire Suppression</td>
<td>6/10/15</td>
<td>Master Firefighter MICT</td>
</tr>
<tr>
<td>Brian P. Hachinskiy</td>
<td>Fire Suppression</td>
<td>6/10/15</td>
<td>Sr. Fire Captain</td>
</tr>
<tr>
<td>Shalese P. Hooks</td>
<td>Parks/Rec</td>
<td>9/19/2014</td>
<td>Recreation Leader</td>
</tr>
<tr>
<td>Alicia Pena</td>
<td>Parks/Rec</td>
<td>8/28/14</td>
<td>Lifeguard</td>
</tr>
<tr>
<td>Andrew J. Ryan</td>
<td>Comm Comm/CJP</td>
<td>6/3/15</td>
<td>Prof Programs Asst</td>
</tr>
<tr>
<td>Ashley M. Smallwood</td>
<td>Sheriff/Admin</td>
<td>5/22/15</td>
<td>Clerk</td>
</tr>
</tbody>
</table>

Section V - Increases per Memorandum of Understanding

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yadira Chavez-Arambula</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Lifeguard</td>
</tr>
<tr>
<td>Joshua S. King</td>
<td>Election Office</td>
<td>6/4/15</td>
<td>Program Coordinator</td>
</tr>
<tr>
<td>Nicole Ortiz</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Lifeguard</td>
</tr>
</tbody>
</table>

Section VIII - Other Requests

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Action Requested and Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris Blake</td>
<td>Police</td>
<td>ACD change effective 8/11/15</td>
</tr>
<tr>
<td>Jacob Dent</td>
<td>Police</td>
<td>ACD change effective 6/11/15</td>
</tr>
<tr>
<td>Michael Eckel</td>
<td>Police</td>
<td>ACD change effective 6/11/15</td>
</tr>
<tr>
<td>Michael D. Sullivan-Owens</td>
<td>Sheriff/Detention</td>
<td>Amend PAC 6/3/16 to reflect sick leave effective date of 5/20/15</td>
</tr>
<tr>
<td>Steven B. Summers Jr.</td>
<td>PW/WPC</td>
<td>Completed certification receive incremental pay of effective 5/12/2015</td>
</tr>
<tr>
<td>David Weaver</td>
<td>Police</td>
<td>ACD change effective 6/11/15</td>
</tr>
</tbody>
</table>

Action: Received and filed.

6. CLAIMS FOR DAMAGES:

Patrick Drummond, 7320 Harrison St., KCMO, alleging damage to vehicle caused by a metal strip that came loose from a storm drain.

Janeria M. Phillips, 3104 Delavan Ave., alleging damage to fence caused by a fallen tree.

Vernie E. Stewart, 3438 N. 61st St., alleging damage to vehicle caused by a pothole.

Action: Received and filed. Copies previously forwarded to Legal.
7. TRAVEL REQUESTS:

April Bowman and Christian Cooley, DOTS/GeoSpatial Services, travel to San Diego, CA, to attend the ESRI User Conference, July 19 - 24, 2015, Employee Training & Travel.

Jerome Gorman, District Attorney’s Office, travel to Chicago, IL, July 17 – 22, 2015, to attend NDAA Summer Board/Committee Meetings and NDAA Summit on Prosecution Integrity, Employee Training & Travel.

Action: Approved by County Administrator’s Office and received and filed.

8. APPLICATION FOR CMB LICENSE (PKG):

Harim Corporation/Theresa Cawthon dba 7-Eleven, 10950 Parallel Pkwy.

Action: Referred to License.

9. APPLICATIONS FOR DRINKING ESTABLISHMENT:

Villa Marina LTD/Juan Ramirez dba Las Islas Maria, 7516 State Ave.
Witch’s Brew, LLC dba Sammy’s Tavern, 222 N. 6th St.
William Hutton dba Stix Restaurant, 1847 Village West Pkwy.

Action: Referred to License.

10. APPLICATION FOR CATERER/DRINKING ESTABLISHMENT:

Keith Schwartz/ Timothy Griggs dba Jazz, A Louisiana Kitchen, 1859 Village West Pkwy.

Action: Referred to License.

11. APPLICATION FOR PRIVATE SECURITY BUSINESS:


Action: Referred to License.

12. APPLICATIONS FOR MASSAGE THERAPIST LICENSE:

Stacey Morian d/b/with Great Wolf Lodge, 10401 Cabella Dr.
Lauren Smith d/b/with Village West Luxury Apartments, 11024 Delaware Pkwy.

Action: Referred to License.
Memorandum

To: Doug Bach
   County Administrator

From: Bridgette Cobbins
      UG Clerk

Date: June 18, 2015

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

cm

Attachment
1. ELECTION ABSTRACT:

Abstract of votes cast in Wyandotte County/State of Kansas for the USD #203 Question (Mail Ballot), June 9, 2015.

**Action:** Received and filed.

2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received on June 17, 2015, for Project ID #6199 – Kaw Point WWTP Bio-Solids Dewatering Improvements and B25580 – Bi-Fire Cutaway Bus.

**Action:** Received and filed. Copies previously forwarded to County Administrator, Legislative Auditor, Public Works, Fire Department and Emma Scovil.

3. CONTRACTS:

She Digs it, LLC, for Pump Station #12 Elimination and Storm Sewer Extension, Project No. 6124, $441,390.

Mega Industries Corporation, for Pump Station Improvements (PS 6, 41, 50, 64 & 65), Project No. 6197, $1,285,000.

**Action:** Approved by County Administrator and received and filed.

4. COMMUNICATION:

Rick Mikesic, Manager of Accounting, regarding cash transfer memorandum January 2015

<table>
<thead>
<tr>
<th>FUND FROM</th>
<th>FUND TO</th>
<th>PURPOSE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>City General</td>
<td>EMS</td>
<td>Re-class Tax Revenue</td>
<td>420.69</td>
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<tr>
<td>City General</td>
<td>Sales Tax</td>
<td></td>
<td>631.05</td>
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<tr>
<td>County General</td>
<td>Metro TIF 448</td>
<td></td>
<td>661.11</td>
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<tr>
<td>Trust Account</td>
<td>County General</td>
<td></td>
<td>1,085.93</td>
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<tr>
<td>County General</td>
<td>Prescott Plaza 446</td>
<td></td>
<td>1,703.19</td>
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<tr>
<td>County General</td>
<td>Non-Debt Int Improv</td>
<td></td>
<td>4,054.32</td>
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<tr>
<td>City General</td>
<td>Metro TIF 448</td>
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<td>4,895.80</td>
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<tr>
<td>Tax Collection</td>
<td>Trust Account</td>
<td></td>
<td>8,132.69</td>
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<tr>
<td>City General</td>
<td>Prescott Plaza 446</td>
<td></td>
<td>14,457.74</td>
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<tr>
<td>County General</td>
<td>Tax Collection</td>
<td></td>
<td>18,404.67</td>
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<tr>
<td>County General</td>
<td>Plaza Speedway TIF</td>
<td></td>
<td>25,267.34</td>
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<tr>
<td>Tourism &amp; Convention Cntr.</td>
<td>38th-Rainbow TIF</td>
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<td>38,513.44</td>
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<tr>
<td>Spec. Assessment</td>
<td>Non-Debt Int Improv</td>
<td></td>
<td>41,775.10</td>
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<tr>
<td>City General</td>
<td>Non-Debt Int Impr.</td>
<td></td>
<td>70,475.72</td>
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<tr>
<td>Tax Collection</td>
<td>County General</td>
<td></td>
<td>82,105.69</td>
</tr>
</tbody>
</table>

June 18, 2015
City General       Plaza Speedway TIF          ^          205,419.85
Tax Collection   Internal Improv        Tax Distribution    26,068.14
Tax Collection   Various Agencies      Current Tax Distribution 104,547,626.05
City General      Special Grants       Re-class Expense     22.18
Control Fund     County General       Adjust Expense       57.94
Special Grants    City General         Re-class expense     180.17
Non-Debt Internal Improv. City General    City General            ^           193.31
Comm. Development City General         Parking Stickers      250.00
Health Dept. Grant City General         City General            ^           500.00
Health Dept.      City General         Health Dept. Parkng Spaces 945.00
Register of Deeds Tech. Fund Heritage Trust Fund Re-class Expense 2,045.00
ETAC Police Chief's Assoc. City General  Dissolve 738 ETAC Fund 7,145.47
Various Agencies  City General         January Fuel         17,492.42
Various Agencies  Healthcare Insurance Employee Health Insurance 100,000.00
Various Agencies  EE Wkr’s Comp.       Jan Wkr’s Comp. Expense 275,320.37

**TOTAL** 105,495,850.38

**Action:** Received and filed.

### 5. PERSONNEL ACTION COMMUNICATION, DATED JUNE 16, 2015:

#### Section I - Appointments

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tyler W. Burnett</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Lifeguard</td>
</tr>
<tr>
<td>Marquise J. Cooper</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Lifeguard</td>
</tr>
<tr>
<td>Darry D. Frye</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>Bryan L. Henderson</td>
<td>PW/Street</td>
<td>7/2/15</td>
<td>General Laborer</td>
</tr>
<tr>
<td>Kennedy Hernandez</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Rec Leader</td>
</tr>
<tr>
<td>Aklem J. Jones</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
<tr>
<td>Jahania Pena</td>
<td>Parks/Rec</td>
<td>5/23/15</td>
<td>Leader</td>
</tr>
<tr>
<td>Gustavo I Valdivino</td>
<td>Parks/Rec</td>
<td>6/4/15</td>
<td>Summer Laborer</td>
</tr>
</tbody>
</table>

#### Section III - Separations

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert E. Bond</td>
<td>Public Works/Fleet</td>
<td>6/17/15</td>
<td>Lead Fleet Maint. Tech</td>
</tr>
<tr>
<td>David S. Hammond</td>
<td>Fire Suppression</td>
<td>6/10/15</td>
<td>Master Fire Driver</td>
</tr>
<tr>
<td>Gary R. Harrison</td>
<td>Legislative Auditor's Office</td>
<td>6/9/15</td>
<td>Auditor</td>
</tr>
<tr>
<td>Ronald J. Wells</td>
<td>Fire Suppression</td>
<td>6/11/15</td>
<td>Master Fire Driver</td>
</tr>
</tbody>
</table>

#### Section IV - Leaves of Absence

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Leave Begins</th>
<th>Leave Ends</th>
<th>Leave/Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angela M. Riley</td>
<td>Police/Records</td>
<td>5/29/15</td>
<td>7/1/15</td>
<td>094 Unpaid</td>
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#### Section V - Increases per Memorandum of Understanding

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<th>Name</th>
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<th>Eff. Date</th>
<th>Job Title</th>
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<td>Stephanie J Grady</td>
<td>Election Office</td>
<td>6/4/15</td>
<td>Admin Supt. Specialist</td>
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<tr>
<td>Thomas J. Loya</td>
<td>Transportation</td>
<td>5/20/15</td>
<td>Transit Operator</td>
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<td>Kimberly Strauss-Riviera</td>
<td>Election Office</td>
<td>6/4/15</td>
<td>Program Coordinator</td>
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</tbody>
</table>

**June 18, 2015**
Action: Received and filed. Copy previously forwarded to Payroll.

5. CLAIM FOR DAMAGES:

Durayl Tyree Vann, 701 N. 7th St., alleging personal injury on January 15, 2015 while in Wyandotte County Jail.

Action: Received and filed. Copy previously forwarded to Legal.

6. TRAVEL REQUEST:


Jody Boeding and Kenneth Moore, Legal Department, travel to Austin, TX, June 22 – 27, 2015, to attend NAPPA 2015 Legal Education Conference, BPU.


Action: Approved by County Administrator’s Office and received and filed.

7. APPLICATION FOR DRINKING ESTABLISHMENT:

Big D’s on The Hill/Dallas Wolf d/b/a Big D’s on The Hill, 2139 S. 34th Street

Action: Referred to License.

8. APPLICATION FOR LIQUOR TEMPORARY LICENSE:

Beth Lopez d/b/a Holy Name Catholic Church, temporary permit for June 20, 2015 from 3:00 p.m. to 11:00 p.m., 1001 South West Blvd.

Action: Referred to License.

9. APPLICATION FOR MASSAGE THERAPIST LICENSE 2015-2016:

Rena Condray d/b/a Elements Spa at Great Wolf Lodge, 10401 Cabela Drive

Action: Referred to License.

June 18, 2015
Staff Request for Commission Action

Type: Standard
Committee: Neighborhood and Community Development Committee

Date of Standing Committee Action: 6/1/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 6/25/2015
Confirmed Date: 6/25/2015

Changes Recommended By Standing Committee (New Action Form required with signatures)

<table>
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<th>Date</th>
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<tr>
<td>5/20/2015</td>
<td>Marlon Goff</td>
<td>573-5545</td>
<td><a href="mailto:mgoff@wycokck.org">mgoff@wycokck.org</a></td>
<td></td>
<td>Economic Development</td>
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Item Description:
Silver City Park has been closed for public use and access since prior to Unified Government consolidation in 1997. The park grounds were acquired by the City of Kansas City, KS from the Urban Renewal Agency of Kansas City Kansas in May of 1975. The location and restrictions for the park are outlined in the land use plan exhibits of the Silver City Urban Renewal Plan approved in 1963.

The UG Parks & Rec Department has no current or future plans to purchase equipment or make improvements to the park for public use. The department has continued to mow and treat the grounds for noxious weeds.

UG development staff is proposing to amend the Silver City Urban Renewal Plan and solicit redevelopment proposals for this underutilized tract of land.

Action Requested:
A resolution setting a public hearing on June 25, 2015 to consider an amendment to the Silver City Urban Renewal Plan

** Additional document(s) forthcoming

Publication Required

Budget Impact: (if applicable)

Amount: $
Source:

- [ ] Included In Budget
- [x] Other (explain) Policy action by Commission.

[ ] File Attachment  [ ] File Attachment  [ ] File Attachment  [ ] File Attachment
To: Unified Government Board of Commissioners

From: Marlon Goff, Analyst

RE: Silver City Park and General Disposition of Park Property

1. The grounds encompassing Silver City Park were acquired by the city of Kansas City, KS from the Urban Renewal Agency in May of 1975 as part of the Silver City Urban Renewal Plan. The tract of land was designated as “parkland” under this plan. A change of land use or disposition of the park property requires that public hearing be conducted and a resolution amending the urban renewal plan.

2. While it is still listed on the city’s public parks inventory, Silver City Park has been closed for public use and access since prior to consolidation in 1997. Despite the restrictive access, the Parks department has continued to incur the costs for mowing the open space visible from the entrance.

3. Economic development staff views Silver City Park as having redevelopment potential and made presentations before the UG Parks Board in April and May of this year. A 3rd party appraisal was conducted on the property in 2005 assigning a value of $27,000. While the park totals more than 40 acres, based on the topography and elevation changes at play within this tract of land less than 10 acres is believed to be feasible for redevelopment.

4. Disposition of park property and any other real property controlled by the Unified Government will be subject to the deed restrictions associated with the terms of acquisition.

5. Below is an inventory listing of the UG/WYCO Parks. To my knowledge there have been (2) other park properties previously evaluated or targeted for redevelopment (Thompson Park and Coronado Park). Also attached is a numerical listing for each park and a corresponding county map:
Executive Summary

Alvey Park - Metropolitan Ave. and S. 49th St., 23.63 acres, lighted soccer field and parking lot, walking trail, picnic shelter and playground equipment and portable toilet.

Bethany Park - Central Ave. and N. 12th St., 8.40 acres, two lighted tennis courts, picnic grills and tables, parking lots, drinking fountain, walkways and sand volleyball court, walking trail, recreation center with gym and meeting rooms.

Big Eleven Lake - Between State Ave. and Washington Blvd. on N. 11th St., 3.8 acres, manmade fishing lake, picnic tables, portable toilet and bandstand.

Bill Clem Park - Kansas Ave. and 10th St., 1.4 acres, softball field, picnic shelter, picnic table, large playground equipment.

City Park - Park Dr. and S. 26th St., 90 acres, four picnic shelters, restrooms, parking areas, water fountains, lighted soccer field, four lighted softball fields, portable toilet. City Park Pavilion shelter - portable toilet, picnic tables, water fountains, grill, restroom, playground equipment, and parking. City Park South shelter - grill, picnic tables, no parking, no reservations. Regan shelter - 27th and Park Dr., restroom, parking areas, playground equipment, and picnic tables, grills, sand volleyball court. City Park North shelter - 32nd and Ford, picnic tables, grills, playground equipment, and portable toilet.

Clifton Park - Park Dr. and S. 23rd St., 8.13 acres, playground equipment, picnic shelter, portable toilet, no reservations.

Clopper Field - Powell Ave. and S. 34th St., 8.13 acres, two lighted tennis courts, restroom, grills, tables, playground equipment, sand volleyball court, soccer field.

Coronado Park - Freeman Ave. and N. 52nd St., Undeveloped 65.23 acres, baseball diamond, softball diamond, park road and parking lot.

Delaware Park - 74th St. and Ann Ave., 35 acres, undeveloped.

Edgerton Park - Edgerton Ave. and N. Third St., 1.94 acres, outdoor basketball court, one shelter, concrete amphitheater, playground equipment, no restroom.

Eighth St. Park - Barnett Ave. and N. 8th St., .79 acres, tennis courts.

Eisenhower Park - Georgia Ave. and 72nd St., 64.53 acres, one lighted baseball diamond, two softball diamonds, four lighted tennis courts, parking lot, restroom, football field, soccer field, exercise area, six lane track, shelter, playground equipment, spray park, recreation center with gym, meeting room and small kitchen.

Emerson Park - Strong Ave. and S. 29th St., 5 acres, two lighted tennis courts, gazebo, concrete play pad, park benches, drinking fountains and picnic tables.
DEPARTMENT OF ECONOMIC DEVELOPMENT

Executive Summary

701 N. 7th Street Rm. #421
Kansas City, Kansas 66101
Phone: (913) 573-5730
Fax: (913) 573-5745

Fairfax (Roswell) Park - Manor Crest Dr. and N. 7th St., 21 acres, one softball field, basketball court, and restroom.

Fisher Park - Fisher St. and W. 39th Ave., 4.16 acres, playground equipment, exercise area, outdoor basketball court and picnic tables, no restroom.

Heathwood Park - Parallel Pkwy. and N. 10th St., 12.5 acres, bleachers, lighted baseball diamond, grills, picnic tables, bicycle paths, spray park, restroom and exercise areas.

Huron Park (Indian Cemetery) - Minnesota Ave. and N. 6th St., 7.43 acres, walkway, floral gardens, benches, gazebo and Indian Cemetery.

Jersey Creek Park - Between N. 5th and N. 18th St. on Parallel Pkwy., 24.4 acres, basketball court, bicycle trails, bridges, seating areas, walkways and playground equipment.

Kensington Park - State Ave. and N. 29th St., 12.95 acres, playground equipment, volleyball poles, picnic tables, grills, park benches, restrooms, lighted softball field, parking lot, recreation center, gym and meeting rooms.

Kaw Point Park - Fairfax Trafficway at the Levee, provides access to the river where the Kaw meets the Missouri, boat dock, boat ramp, 1/4 mile trail and Lewis and Clark historic information. Restrooms open for events.

Klamm Park - Cleveland Ave. and N. 22nd St., 32.10 acres, shelter, grills, picnic tables, playground equipment, restroom, drinking fountain, lighted baseball field, six lighted tennis courts, basketball court and parking lot.

Mac's Park - Glendale Ave. and Garfield Ave., 2 acres, two half-court basketball courts and playground equipment, no restroom.

Matney Park - Shawnee Dr. and S. 40th, 9.95 acres, playground equipment, outdoor basketball court, shelter, grills, portable toilet and walking trail.

Mount Marty Park - Seminary Ave. and Hill St., 10.99 acres, site of Rosedale Memorial Arch (overlooking the city), lighted areas and parking areas.

Northrup Park - N. 10th St. and Grandview Blvd., 7.23 acres, playground equipment.

Parkwood Park - 952 Quindaro, 26.54 acres, outdoor swimming pool, park benches, swings, volleyball poles, two lighted tennis courts, basketball court, drinking fountain, driveways, parking areas, restroom and shelter.

Pierson Park - Douglas and 55th (in the Turner area), 125 acres, three shelters, all with water, electricity, restroom and playground equipment. Spray park, two lighted tennis courts, and a separate playground area. 10 acre lake for fishing, no boating allowed. The Pierson Hall can accommodate 500 people for parties, meetings and receptions.
Quindaro Park - Sewell and N. 34th St., 20.27 acres, restroom, picnic tables, grills, playground equipment, volleyball poles, two picnic shelters, softball diamond and two tennis courts.

Rosedale Park - Mission Rd. and W. 41st St., 55 acres, lighted softball fields, three non-lighted softball fields, two lighted tennis courts, shelter, playground equipment, skate park drinking fountain, grill, picnic tables, restroom, parking lot and two 18 hole disc golf courses.

Ruby Park - Ruby Ave. and S. 30th St., 5.63 acres, playground equipment. No restroom.

Shawnee Park - Shawnee Ave. and S. 7th St., 6.13 acres, lighted softball fields, bleachers, basketball courts, picnic tables, grills, playground equipment, stone bandstand, two tennis courts, exercise area, concession stand and two shelters.

Silver City Park - Lawrence Ave. and S. 25th St., 39.40 acres. No restroom.

Stony Point Park - Elizabeth Ave. and N. 88th St., 13 acres, bicycle trails, softball field, two tennis courts and playground equipment. No restroom.

St. John's Park - Ann Ave. and N. 4th St., 2 acres. No restroom.

St. Margaret's Park - Homer Ave. and S. 7th St., 10.12 acres, soccer fields, playground equipment, shelter, water fountain and restroom.

Thompson Park - 59th and Nogard, 11 acres, shelter, grills, picnic tables, sand volleyball court, playground equipment, walking trail, portable toilet and parking lot.

Vega Field - Metropolitan Ave. and S. 24th St., small soccer field, playground equipment, picnic tables, restroom and water fountain.

Waterway Park - Grandview Blvd. and Waterway Dr. on N. 11th St., 3.8 acres, picnic tables, benches and playground equipment. No restroom.

Welborn Park - Rowland Ave. and N. 55th St., 20 acres, two lighted tennis courts, two unlighted tennis courts, walkway, shelter, grills, playground equipment, portable toilet and parking lot.

Westheighth Park - Wood Ave. and N. 22nd St., 7.09 acres, four tennis courts, grills, picnic tables, playground equipment. No restroom.

Wyandotte County Lake Park - Leavenworth Rd. and 91st St., 1500 acres, 400 acre lake for fishing and boating, 16 shelters, all with water, electricity, playground equipment and restrooms. James P. Davis Hall will accommodate 150 people for parties, meeting and receptions. Large playground area available for the public. Pontoon docks available for annual rental. Horse riding trail.

Wyandotte County Park - State Ave. and 126th St. (Bonner Springs), 325 acres, 7 shelters, all with water, electricity, restrooms and playground equipment. Four lighted tennis courts, two lighted softball fields, one lighted soccer field, one 18-hole disc golf course, skate park, 6-hole junior golf course. Wyandotte County Museum located inside the park. George Meyn building will accommodate 350 people for parties, meetings and receptions.
“The Unified Government Park System”
(53 Parks for your Family Use)

Regional Parks
A Wyandotte County Lake Park
91st & Leavenworth Road
B Wyandotte County Park
126th & State Avenue
C Pierson Park
Douglas & S. 55th Street

Community Parks
D City Park
Park Drive & S. 26th Street
E Eisenhower
Georgia Avenue & N. 22nd Street
F Klamm
Cleveland Avenue & N. 22nd Street
G Rosedale
Mission Road & W. 41st Street

Parks & Recreation Administration Office
5033 State Avenue

Neighborhood Parks
1. Leo Alvey Park – Metropolitan Avenue & S. 49th Street
2. Bethany Park – Central Avenue & N. 12th Street
3. Big Eleven Lake – State Avenue & N. 11th Street
4. Bill Clem Park – Kansas Avenue & 10th Street
5. Clifton Park – Park Drive & 23rd Street
6. Clopper Park – Powell Avenue & S. 34th Street
7. Coronado Park – Freeman Avenue & N. 52nd Street
8. Edgerton Park – Edgerton Avenue & N. 3rd Street
9. Eighth Street Park – Barnett Avenue & N. 8th Street
10. Emerson Park – Strong Avenue & S. 29th Street
11. Fairfax Park – Manor Crest Drive & N. 7th Street
13. Flat Iron Park – Central Avenue & 14th Street
14. Heathwood Park – Parallel Parkway & N. 10th Street
15. Huron Park – Minnesota Avenue & N. 6th Street
16. Jersey Creek Park – N. 5th Street to N. 18th Street on Parallel Parkway
17. Kaw Point Park – Fairfax Traffic Way at the Levee
18. Kensington Park – State Avenue & N. 29th Street
19. Mac’s Park – Glendale Avenue & Garfield Avenue
20. Matney Park – Shawnee Drive & S. 40th Street
21. Mt. Marty Park (Rosedale Arch) – Seminary Avenue & Hill Street
22. Northrup Park – Grandview Boulevard & N. 10th Street
23. Parkwood Park – 952 Quindaro Boulevard
24. Prescott Park – Ridge & 13th Street
25. Quindaro Park – Sewell Avenue & N. 34th Street
26. Regan Park – Park Drive & 27th Street
27. Ruby Park – Ruby Avenue & S. 30th Street
28. Shawnee Park – Shawnee Avenue & S. 7th Street
29. Simpson Park – 726 Central Avenue
30. Silver City Park – Lawrence Avenue & S. 25th Street
31. Splitlog Park – 715 Splitlog Avenue
32. Stony Point Park – Elizabeth Avenue & N. 86th Street
33. St. Johns Park – Ann Avenue & N. 4th Street
34. St. Margaret’s Park – Homer Avenue & S. 7th Street
35. Thomson Park – Nogard Avenue & N. 59th Street
36. Trolley Park – Central Avenue & 19th Street
37. Vega Park – Metropolitan Avenue & S. 24th Street
38. Waterway Park – Grandview Boulevard & N. 11th Street
39. Welborn Park – Rowland Avenue & N. 55th Street
40. Westheight Park – Wood Avenue & N. 22nd Street
41. Riverview Park – 100 S. 74th Street
42. Hope Park – Crest Drive & S. 47th Street
43. Holy Family Park – Orchard & 6th Street
44. Delaware – Ann Avenue & 74th Street
45. Lally Park – Central Avenue & 10th Street
46. Boston Daniel Park – Waverly Avenue & 8th Street
RESOLUTION NO. R-____-15

A RESOLUTION CALLING AND PROVIDING FOR NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF AMENDING THE SILVER CITY URBAN RENEWAL PLAN.

WHEREAS, K.S.A. 17-4742 et. seq. (the “Act”) authorizes the governing body of any municipality to create urban renewal areas in which to utilize private and public resources to eliminate and prevent development or spread of slums and urban blight, to encourage needed urban rehabilitation, to provide for redevelopment of slums and blighted areas, and to undertake any feasible municipal activities as may be suitable to achieve these objectives; and

WHEREAS, the Urban Renewal Agency of Kansas City, Kansas (“Urban Renewal Agency”), on or about September 16, 1963, by resolution created the Silver City Urban Renewal Area under the Act and approved the Silver City Urban Renewal Plan (“Plan”); and

WHEREAS, the Plan proposed clearance of blighted conditions in the northeast section of the project with subsequent redevelopment into a multi-family and public use area, and comprehensive rehabilitation and conservation in other sections of the project, including a system of minor park or greenbelt areas together with a neighborhood park and recreational area; and

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”), as successor to the City of Kansas City, Kansas, and the Urban Renewal Agency, acquired Silver City Park for park uses as designated by the Plan; and

WHEREAS, Silver City Park has been underutilized and the Unified Government now desires to sell the property for residential development or other uses authorized by the Act; and

WHEREAS, K.S.A. 17-4747 provides for modification of an urban renewal plan upon notice of a public hearing; and

WHEREAS, the Unified Government hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of amending the Plan to change the proposed designated use of Silver City Park from park uses to residential and other uses, pursuant to the authority of the Act; and further to provide for the giving of notice of said hearing in the manner required by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT:

SECTION 1. Public Hearing. It is hereby authorized, ordered and directed that the Board of Commissioners shall hold a public hearing, in accordance with the provisions of the Act, on the advisability of amending the Plan to change the proposed designated use of Silver City Park from park uses to residential and other uses, on June 25, 2015 at 7:00 p.m. in the Commission Chambers, lobby level of the Municipal Office Building, 701 North 7th Street, Kansas City, Kansas, under the authority of the Act.

SECTION 2. Proposed Plan Modification. The general nature of the proposed amendment to the Plan is to change the designated use for Silver City Park from park uses to residential and other uses in order to allow the Unified Government to sell the property for development.
SECTION 3. Map and Legal Description of Silver City Park. The legal description of the property to be affected by the proposed amendment to the Plan is set forth on Exhibit A attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the property is attached as Exhibit B hereto, and incorporated by reference herein.

SECTION 4. Notice of Hearing. The Unified Government Clerk is hereby authorized, ordered and directed to give notice of public hearing by publication of this Resolution in the official newspaper. Publication shall be at least once each week for two (2) consecutive weeks. The second publication shall be at least seven (7) days prior to the date of the hearing.

SECTION 5. Effective Date. This Resolution shall be effective upon adoption by the Unified Government Board of Commissioners.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT THIS ___TH DAY OF ____________________________, 2015.

___________________________________________________________
Mayor/CEO

___________________________________________________________
Unified Government Clerk

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of Resolution No. R-____-15 of the Unified Government of Wyandotte County/Kansas City, Kansas adopted by the Board of Commissioners on ______________, 2015 as the same appears of record in my office.

DATED: _____________, 2015.

___________________________________________________________
Unified Government Clerk
EXHIBIT A

LEGAL DESCRIPTION OF SILVER CITY PARK

The following property located in Wyandotte County, Kansas City, Kansas:

 Parcel 1, SILVER CITY PARK SUBDIVISION, a proposed subdivision in the Northwest one-half of Section 29, Township 11, Range 39, in Kansas City, Wyandotte County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of Lot 12, Block 33, in MULVANE'S ADDITION, said point being on the West line of Ruby Avenue (as now exists); thence South 77° 31' 14" East, along the North line of said Block 33, 840.84 feet to the Northwest corner of Lot 1, Block 33, MULVANE'S ADDITION; thence South 00° 25' 38" East, 29.00 feet, to the Northwest corner of Lot 35, COBURN'S 2nd ADDITION; thence South 89° 17' 10" East along the North line of COBURN'S 2nd ADDITION, 252.00 feet, to the Northeast corner of Lot 26, of said subdivision; thence South 00° 35' 30" East, 429.03 feet, to a point on the West line of BARBER COURT SUBDIVISION; thence South 00° 17' 49" West along the West line of said subdivision, 429.83 feet, to the Northwest corner of Lot 1, BARBER COURT SUBDIVISION; thence North 89° 45' 01" West, along the North line of Lots 1 and 2 of said subdivision, 163.90 feet, to the Northwest corner of Lot 1, BARBER COURT SUBDIVISION; thence North 00° 17' 49" West, along the West line of said Lot 1, 127.64 feet to the Southwest corner of Lot 1, BARBER COURT SUBDIVISION, also being a point on the North line of Lawrence Avenue; thence North 89° 45' 00" West, along the North line of said Lawrence Avenue, a distance of 229.98 feet; thence North 52° 52' 23" West, a distance of 160.00 feet, to a point on the Northeasterly line of Hass Drive; thence Northwesterly on a curve to the left, having a radius of 1403.40 feet, and being tangent to the last described curve, 497.89 feet; thence North 52° 52' 23" West, along the northerly line of said Lawrence Avenue, 217.63 feet; thence South 17° 07' 37" West, 89.99 feet, to a point on the West line of Hass Drive; thence North 89° 53' 27" East, 115.50 feet, to the Southwest corner of Lot 12, Block 35, MULVANE'S ADDITION; thence North 00° 06' 33" East, along the West line of Lot 12, Block 35, and the West line of Lot 19, Block 36, MULVANE'S ADDITION, 132.50 feet to the centerline of an alley in Block 36, MULVANE'S ADDITION; thence North 89° 53' 27" West, 100.00 feet along the centerline of said alley; thence North 00° 06' 33" East, along the West line of Lot 12, Block 36, MULVANE'S ADDITION, 132.50 feet to the point on the South line of Elmwood Avenue, said point being the Northwest corner of Lot 12, Block 36, MULVANE'S ADDITION; thence South 89° 53' 27" East, along the South line of Elmwood Avenue, 215.00 feet; thence North 00° 06' 33" East, along the East line of 20th Street, 348.70 feet to the Northwest corner of Lot 12, Block 33, MULVANE'S ADDITION; thence South 89° 53' 27" East, along the North line of said Lot 12, 125.00 feet to the point of beginning. Subject to easements and restrictions of record.
Staff Request for Commission Action

Type: Standard
Committee: Full Commission

Date of Standing Committee Action: 6/22/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 6/25/2015

☑ Changes Recommended By Standing Committee (New Action Form required with signatures)

Date: 6/15/2015
Contact Name: Joe Connor
Contact Phone: 5030
Contact Email: jleverich@wycockck.org
Ref: [il]

Department / Division: CAO

Item Description:
Request to re-appoint Addie Hawkins as the Unified Government's appointee to the REACH Health Care Foundation's Community Advisory Committee (CAC). Addie's current term on the CAC expired May 31, 2015. She is eligible for one additional two-year term and has expressed interest in being re-appointed and Brenda Sharpe, REACH Executive Director, has expressed support of this request.

The sole function of the CAC is to serve as the nominating committee to the REACH Board of Directors. The appointment is entirely at the discretion of the UG Commission. Commissioners may access Addie's biographical information as shown on the REACH website and is also attached.

Action Requested:
Re-appoint Addie Hawkins as the Unified Government's appointee to the REACH Healthcare Foundation's Community Advisory Committee for a two-year term commencing June 1, 2015.

Fast Track to June 25, 2015 Full Commission.

☐ Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
☐ Included In Budget
☑ Other (explain) Policy action by Commission.

File Attachment

File Attachment

File Attachment
NOTICE OF PENDING APPOINTMENT

DATE 5/27/15

VACANCY REACH HEALTHCARE FOUNDATION'S COMMUNITY ADVISORY COMMITTEE

INCUMBENT ADDIE HAWKINS

TERM EXPIRATION 5/31/15

COMMISSION APPOINTMENT

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT ADDIE HAWKINS

ADDRESS 8550 Ann. Ave, KCK 66112

PHONE NUMBER AND EMAIL ADDRESS 913-334-6247 ADDIE.HAWKINS@GMAIL.COM

EFFECTIVE DATE 6/1/15 TO 5/31/17

SIGNATURE OF COMMISSION MEMBER

PLEASE RETURN THIS FORM TO THE UNIFIED CLERK'S OFFICE FOR PROCESSING
To: KCK Commissioners

From: Addie Hawkins
Re: Reach Healthcare CAC Re-appointment
Date: June 10, 2015

To whom this concerns:

My name is Addie Hawkins and I am requesting to be reappointed to the Reach Healthcare Community Advisory Committee (CAC) for another term. I have thoroughly enjoyed my work over the past few years with the board and would be honored to serve another term.

I retired after 35 years from USD 500 and am currently doing independent consulting around issues of equity and social justice. Our poor and underserved citizens in our communities deserve quality healthcare and I am delighted that space has been given for me to advocate for that need with a group of like-minded colleagues from other impoverished counties in Kansas.

I believe that my equity and social justice work has enabled me to be a voice for those in our schools and communities whose voice has been silenced.

It would be an honor to represent Wyandotte County in this capacity again.

Respectfully submitted,

Addie Hawkins
Hello, Lindsay! Good to see you last week.

As I mentioned, the Unified Government is an appointing authority to the REACH Healthcare Foundation’s Community Advisory Committee (CAC). In the past we have worked with Gary Ortiz at the UG to get these appointments filled. Because Gary is no longer with the UG, it is unclear to me who should be my primary point of contact regarding current and future appointments to the CAC. If you can assist me with that, I would be most grateful.

Addie Hawkins has served four years on the REACH CAC, and is eligible for another two-year term in order to fulfill the maximum allowable six years on the CAC. Her current term is set to expire May 31st, 2015. Typically, our CAC members serve two, three-year terms, but Addie’s initial service began with by filling less than a year remaining on an existing term back in 2012. She was then reappointed by the UG for a three year term that ran from June 1, 2012 to May 31, 2015. Thus we are requesting that this next appointment be for only two years so as to remain compliant with our By-laws regarding maximum service of six years on the CAC.

We hope the UG will give Addie every consideration for re-appointment. Addie’s attendance has been excellent, and her contributions to our mission have been many. She has represented Wyandotte County very well!

Just as a recap, the CAC serves as the Foundation’s Nominating Committee for the Board of Directors. Each year, the CAC meets approximately 5 times to recruit, interview and select a slate of qualified candidates to be considered for election by the Board of Directors. The CAC does not have a role in grantmaking or any other fiduciary obligations, but are regularly invited to events and educational opportunities across our 6-county service area to learn more about healthcare access for the uninsured and underserved.

The CAC term for this appointment will run from June 1, 2015 to May 31, 2017.

Thanks so much for your consideration; please don’t hesitate to call me if you need any additional information.

Best regards,
Brenda

Brenda R. Sharpe | President & CEO
REACH Healthcare Foundation
O (913) 432-4196 | M (913) 568-8113 | TF (866) 866-8805
6700 Antioch Road, Suite 200
Merriam, KS 66204
brenda@reachhealth.org

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail and any files attached is strictly prohibited. If you have received this e-mail in error, please immediately notify The REACH Healthcare Foundation Inc. by telephone at 913-432-4196.
ADDIE HAWKINS

MEMBER

Appointed by: Unified Government of Wyandotte, Kansas City, KS

Hawkins is a lifelong educator who worked 35 years as a teacher, instructional director and coach, and director for instructional improvement efforts in the Kansas City, Kansas School District, a large urban public school district. She currently is an independent consultant working in the areas of school reform as well as social justice, equity and courageous conversations for improving public education.

She began her teaching career with the Kansas City, Kansas Public Schools in 1974. She taught at several of the district's elementary and middle schools: Haverview, Grant, Francis Willard, Douglass, and Central Middle. Hawkins taught for 15 years before taking a 10-year fellowship to the Learning Exchange in Kansas City, Missouri. While there, she continued to work with teachers at several Kansas City, Kansas middle and high schools.

Hawkins returned to the district in 1999 as an instructional coach and later Director of Equity. During her career, she also served as Adjunct Professor at the University of Missouri, teaching leadership and professional learning, and was a national consultant with Hagan Cooperative Learning. She currently is a national trainer for the School Reform Initiative.

Hawkins' career was influenced greatly by her early years. She grew up in Tulsa, Oklahoma, and attended segregated schooling until 6th grade. She was then one of 30 African American students to integrate an all-white junior high school. She earned a Bachelor of Arts in Elementary Education from Langston University in Oklahoma and a Master's degree in Educational Administration from the University of Missouri-Kansas City.

She is married and has two adult sons and two grandsons.
Staff Request for Commission Action

Type: Standard
Committee: Neighborhood and Community Development Committee

Date of Standing Committee Action: 6/1/2015

Proposed for the following Full Commission Meeting Date: 6/25/2015

☑ Changes Recommended By Standing Committee (New Action Form required with signatures)

Date: 5/19/2015
Contact Name: Chris Slaughter
Contact Phone: 8977
Contact Email: cslaughter@wycokck.org
Ref: Economic Development/Lan...

Item Description:
The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee review the proposed packets and forward them to the Land Bank Board of Trustees for final consideration.

Item (1) - Applications (10)
Item (2) - Transfers to Land Bank (1)
Item (3) - Best and Finals (1)

Action Requested:
The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee approve the above requests and forward them to the Land Bank Board of Trustees for final approval.

☐ Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
☑ Included In Budget Land bank revenues are projected in the budget.
☐ Other (explain)
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<th>Purpose</th>
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<td>2748 S 8th Pl</td>
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<td>2024 N 13th St</td>
<td>Yard Extension</td>
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<td>610 Quindaro Blvd</td>
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<td>953 Ray Ave</td>
<td>951 Ray Ave</td>
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<td>Brenda Nunez-Baltazar</td>
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<td>1511 N 26th St</td>
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<td>417 Richmond Ave</td>
<td>1913 N Thompson St</td>
<td>Future Development</td>
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<td>Phillip Brown</td>
<td>2503 N 43rd St</td>
<td>144 N 61st St</td>
<td>Single Family Constr.</td>
<td>APPROVED</td>
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</tbody>
</table>
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Section 1: Personal Information.

1. Applicant's Name: Rex Davis

2. Name of Corporation (if applicable): NA

3. Street Address: 1120 E 75th Terrace

4. City, State, Zip: KC, Mo 64131

5. Home Phone #: 816-365-1901 Work Phone #: 913-261-2167

6. E-Mail Address: r.davis@ibtinc.com

7. List Properties you own in Wyandotte County: 415 Sandusky, 440 Barnett, 625 Northcup, 2748 S 8th Place

8. Do you (or your spouse) have any Code Enforcement violations? Yes _No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes _No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property 2748 South 8th Place
   • Vacant Land
   • Structure

2. Proposed Use of Property:
   • Yard Extension. Go to section 4.
   • Parking. (Must comply with UG regulations) Go to section 4.
   • Garage. Requires building permit. Go to section 4.
   • Home Addition. Requires building permit. Go to section 3.
   • New Home Construction. Requires building permit. Go to section 3.
   • Commercial Construction. Requires building permit. Go to section 3.
   • Rehabilitation of existing structure. Requires building permit. Go to section 3.
   • Other:
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes___ No___ (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual___ Corporation___ Nonprofit: ___
   Other: ________________________________

3. **Must** attach a letter of credit or pre-approval letter from your bank.

4. **Must** attach drawings for your proposed project.

5. Proposed use of property:
   o Home Ownership.
   o Rental Home.
   o Business/Commercial Use.
   o Apartments.
   o Other, Specify: Yard extension for rental home @ 2738 S. 8th Place

1. Will you seek Tax Increment Financing or other public tax exemptions? _No_

2. Will you seek Neighborhood Revitalization Tax Rebates? _No_

3. Starting Project Date: _N/A_ Completion Date: __________ Comments: ________________________________

Section 4: Additional Comments & Terms of Proposal.

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government's Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

Applicant's Signature: _____________________________ Date: __________

Print Your Name: _____________________________

Rex Davis 4/21/15

Return Completed Application to: Land Bank, 2nd Floor, 710 N. 7th, KCK 66101
Fax 913-321-0237 Phone 913-573-8977
Attn: Land Bank Manager, Chris Slaughter
Unified Government Land Bank Application

Section 1: Personal Information.

1. Applicant's Name: Yuri Garcia.
   Spouse (if applicable): ________________________________

2. Name of Corporation (if applicable) ________________________________

3. Street Address: 2026 N. 13th

4. City, State, Zip: Kansas City, KS. 66104

5. Home Phone: (913)5624150 Work Phone #: ________________________________

6. E Mail Address: yuri.garcia91@yahoo.com

7. List Properties you own in Wyandotte County: ________________________________

8. Do you (or your spouse) have any Code Enforcement violations? Yes _ No /

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes _ No /

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property 2026 N. 13th K
   o Vacant Land
   o Structure

2. Proposed Use of Property:
   o Yard Extension. Go to section 4.
   o Parking. (Must comply with UG regulations) Go to section 4.
   o Garage. Requires building permit. Go to section 4.
   o Home Addition. Requires building permit. Go to section 3.
   o Commercial Construction. Requires building permit. Go to section 3.
   o Rehabilitation of existing structure. Requires building permit. Go to section 3.
   o Other: ________________________________
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes__ No__
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual__ Corporation__ Nonprofit: __
   Other: ________________________________

3. Must attach a letter of credit or pre-approval letter from your bank.

4. Must attach drawings for your proposed project.

5. Proposed use of property:
   o Home Ownership.
   o Rental Home.
   o Business/Commercial Use.
   o Apartments.
   o Other, Specify: ________________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ____

7. Will you seek Neighborhood Revitalization Tax Rebates? ____

8. Starting Project Date: _______________ Completion Date: _______________

Comments: __________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

extend my yard

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government’s Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

Janice   Yuri Garcia  4/22/15
Applicant’s Signature  Print Your Name  Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Section 1: Personal Information.

1. Applicant's Name: Jacquette Noble
   Spouse (if applicable): ________________________________

2. Name of Corporation (if applicable): ________________________________

3. Street Address: 814 Quindaro Blvd.

4. City, State, Zip: K C KS 66101

5. Home Phone #: 913-633-3241  Work Phone #: 913-633-8241

6. E Mail Address: jacquette.noble@yahoo.com

7. List Properties you own in Wyandotte County: 814, 812 Quindaro Blvd.

8. Do you (or your spouse) have any Code Enforcement violations? Yes  No

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes  No

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: 810 Quindaro Blvd.
   - Vacant Land
   - Structure

2. Proposed Use of Property:
   - Parking. (Must comply with UC regulations) Go to section 4.
   - Rehabilitation of existing structure. Requires building permit. Go to section 3.
   - Other: ________________________________
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes __ No __
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual __ Corporation __ Nonprofit: __
   Other: ________________________________

3. **Must** attach a letter of credit or pre-approval letter from your bank.

4. **Must** attach drawings for your proposed project.

5. Proposed use of property:
   - Home Ownership.
   - Rental Home.
   - Business/Commercial Use.
   - Apartments.
   - Other, Specify: ________________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ______________

7. Will you seek Neighborhood Revitalization Tax Rebates? ______________

8. Starting Project Date: ______________ Completion Date: ______________

Comments: ________________________________________________________________

__________________________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

__________________________________________________________________________

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I
have read the Unified Government’s Land Bank policy and agree to the terms and
conditions of it. I understand that the Unified Government reserves the rights to reject
any proposal without cause.

**Jacquitta Noble** __ **Jacquitta Noble** April 27, 2015

Applicant’s Signature Print Your Name Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Section 1: Personal Information.

1. Applicant's Name: Guiding Star M.B.C
   Spouse (if applicable): N/A

2. Name of Corporation (if applicable): Guiding Star M.B.C

3. Street Address: 3035 North 27th Street

4. City, State, Zip: Kansas City, Kansas 66104-4472

5. Home Phone #: Work Phone #: 913 371-7651

6. E Mail Address: info@guidingstarmbc.org

7. List Properties you own in Wyandotte County: 3024, 3028 & 3035 N. 27th St, KCK

8. Do you (or your spouse) have any Code Enforcement violations? Yes  No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes  No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: 3049, 3053 & 3055 N. 27th St, KCK
   - Vacant Land
   - Structure

2. Proposed Use of Property:
   - Parking. (Must comply with UG regulations) Go to section 4.
   - Rehabilitation of existing structure. Requires building permit. Go to section 3.
   - Other: Property extension
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes ___ No ___
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual ___ Corporation ___ Nonprofit: ___
   Other: ___ N/A ___

3. Must attach a letter of credit or pre-approval letter from your bank.

4. Must attach drawings for your proposed project.

5. Proposed use of property:
   - Home Ownership.
   - Rental Home.
   - Business/Commercial Use.
   - Apartments.
   - Other, Specify: ___ N/A ___

6. Will you seek Tax Increment Financing or other public tax exemptions? ___

7. Will you seek Neighborhood Revitalization Tax Rebates? ___

8. Starting Project Date: ___ N/A ___ Completion Date: ___

Comments:

Section 4: Additional Comments & Terms of Proposal.

Extension of church property for future use.

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I
have read the Unified Government's Land Bank policy and agree to the terms and
conditions of it. I understand that the Unified Government reserves the rights to reject
any proposal without cause.

AL Bradford

Applicant's Signature: AL Bradford

Print Your Name

Date: April 24, 2016

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Section 1: Personal Information.

1. Applicant's Name: GIORGETTA_sHELA
   Spouse (if applicable):__________________________________________

2. Name of Corporation (if applicable):______________________________

3. Street Address: 953 Ray Ave____________________________________

4. City, State, Zip: Kansas City, MO 66101___________________________

5. Home Phone #:913-216-6720 Work Phone #:_________________________

6. E Mail Address:________________________________________________

7. List Properties you own in Wyandotte County: 953 Ray Ave________

8. Do you (or your spouse) have any Code Enforcement violations? Yes _ No  

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes _ No  

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property 953 Ray Ave______________________________
   o Vacant Land
   o Structure

2. Proposed Use of Property:
   o Yard Extension. Go to section 4.
   o Parking. (Must comply with UG regulations) Go to section 4.
   o Garage. Requires building permit. Go to section 4.
   o Home Addition. Requires building permit. Go to section 3.
   o Commercial Construction. Requires building permit. Go to section 3.
   o Rehabilitation of existing structure. Requires building permit. Go to section 3.
   o Other:______________________________________________________
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes ___ No ___
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual ___ Corporation ___ Nonprofit: ___
   Other: ___________________________

3. **Must** attach a letter of credit or pre-approval letter from your bank.

4. **Must** attach drawings for your proposed project.

5. Proposed use of property:
   - Home Ownership.
   - Rental Home.
   - Business/Commercial Use.
   - Apartments.
   - Other, Specify: ___________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ____

7. Will you seek Neighborhood Revitalization Tax Rebates? ____

8. Starting Project Date: ______________ Completion Date: ______________

   Comments: ________________________________________________________
   ____________________________
   ____________________________
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   ____________________________

Section 4: Additional Comments & Terms of Proposal.

________________________________________________________________________
________________________________________________________________________
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________________________________________________________________________
________________________________________________________________________

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I
have read the Unified Government’s Land Bank policy and agree to the terms and
conditions of it. I understand that the Unified Government reserves the rights to reject
any proposal without cause.

[Signature]
Gloria C. Heig - 4-29-15

Applicant’s Signature          Print Your Name          Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Section 1: Personal Information.
1. Applicant’s Name: **Brenda Janet Nunez-Baltazar**
   Spouse (if applicable): 
2. Name of Corporation (if applicable): 
3. Street Address: **1317 N. 26th St**
4. City, State, Zip: **Kansas City, KS 66102**
5. Home Phone #: **913-774-1989** Work Phone #: 
6. E Mail Address: **2041moo@gmail.com**
7. List Properties you own in Wyandotte County: **1317 N. 26th St K (KS 66102**
8. Do you (or your spouse) have any Code Enforcement violations? Yes _ No _
9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes _ No _

Section 2: Proposed Land Bank Purchase.
1. Address(s) of Property: **1317 N. 26th St**
   - Vacant Land
   - Structure
2. Proposed Use of Property:
   - Parking. (Must comply with UG regulations) Go to section 4.
   - Rehabilitation of existing structure. Requires building permit. Go to section 3.
   - Other: ____________________________
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes___ No___
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual___ Corporation___ Nonprofit:___
   Other:__________________________

3. **Must** attach a letter of credit or pre-approval letter from your bank.

4. **Must** attach drawings for your proposed project.

5. Proposed use of property:
   - Home Ownership.
   - Rental Home.
   - Business/Commercial Use.
   - Apartments.
   - Other, Specify:__________________________

6. Will you seek Tax Increment Financing or other public tax exemptions?____

7. Will you seek Neighborhood Revitalization Tax Rebates?____

8. Starting Project Date:__________ Completion Date:__________

Comments:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

I have kids and a dog so I would like a fenced yard for a small playground.

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government's Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

[Signature]
Applicant's Signature

[Print Name]
Print Your Name

[Date]
Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Section 1: Personal Information.

1. Applicant's Name: R & L Hailey
   Spouse (if applicable): __________________________

2. Name of Corporation (if applicable): Lions Economic Foundation

3. Street Address: 414 Richmond Ave

4. City, State, Zip: Kansas City, Kansas

5. Home Phone #: __________________ Work Phone #: 913-345-6484

6. E Mail Address: R.L. Hailey, S.E. Univ

7. List Properties you own in Wyandotte County: __________________________

8. Do you (or your spouse) have any Code Enforcement violations? Yes ___ No ___

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes ___ No ___

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: 1913 North Thompson St
   o Vacant Land
   o Structure

2. Proposed Use of Property:
   o Commercial Construction. Requires building permit. Go to section 3.
   o Rehabilitation of existing structure. Requires building permit. Go to section 3.
   o Yard Extension. Go to section 4.
   o Parking. Must comply with UG regulations. Go to section 4.
   o Garage. Requires building permit. Go to section 4.
   o Home Addition. Requires building permit. Go to section 3.
   o Other: Future Development
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes __ No __
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual __ Corporation __ Nonprofit:
   __ Other: ________________________________

3. Must attach a letter of credit or pre-approval letter from your bank.

4. Must attach drawings for your proposed project.

5. Proposed use of property:
   o Home Ownership.
   o Rental Home.
   o Business/Commercial Use.
   o Apartments.
   o Other, Specify: ________________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ______

7. Will you seek Neighborhood Revitalization Tax Reates? ______

8. Starting Project Date: _________________ Completion Date: _________________

Comments:
__________________________________________________________________________
__________________________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

We own properties 406 to 430 Richmond Ave which we have developed in a three block area. The property in question is right behind the Richmond development we would like to add to. The space behind these houses would greatly enhance.

Incomplete applications will not be considered and will be returned to the sender. As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government’s Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

Rev C.L. Booker C.L. Book 4-25-2015
Applicant’s Signature Print Your Name Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Section 1: Personal Information.

1. Applicant's Name: Phillip A. Brown___________________________ Spouse
   (if applicable): Gloria M. Brown______________________________

2. Name of Corporation (if applicable)__________________________

3. Street Address: 2503 North 43rd Street_____________________

4. City, State, Zip: Kansas City, Kansas 66104__________________

5. Home Phone #: 785.393.0936________ Work Phone #:____________

6. Email Address: phillip.a.brown@live.com_____________________

7. List Properties you own in Wyandotte County: 2503 N 43rd Street
   ____________________________

8. Do you (or your spouse) have any Code Enforcement violations? Yes__ No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes__ No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property 144 N 61st Street, Kansas City, Kansas 66102_____________________
   o Vacant Land X
   o Structure

2. Proposed Use of Property:
   o Yard Extension. Go to section 4.
   o Parking. (Must comply with UG regulations) Go to section 4.
   o Garage. Requires building permit. Go to section 4.
   o Home Addition. Requires building permit. Go to section 3.
   o New Home Construction. Requires building permit. Go to section 3. X
   o Commercial Construction. Requires building permit. Go to section 3.
   o Rehabilitation of existing structure. Requires building permit. Go to section 3.
   o Other:_____________________________________________
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes_ No_ (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual _ Corporation_ Nonprofit: _
   Other: ____________________________

3. **Must attach a letter of credit or pre-approval letter from your bank.**

4. **Must attach drawings for your proposed project.**

5. Proposed use of property:
   - Home Ownership.
   - Rental Home.
   - Business/Commercial Use.
   - Apartments.
   - Other, Specify: ____________________________

1. Will you seek Tax Increment Financing or other public tax exemptions? _No__
2. Will you seek Neighborhood Revitalization Tax Rebates? _No__
3. Starting Project Date: __6-1-15__ Completion Date: __8-30-15__
   Comments: ____________________________

Section 4: Additional Comments & Terms of Proposal.

**Incomplete applications will not be considered and will be returned to the sender.**
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government’s Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

Applicant’s Signature     Print Your Name Date

Return Completed Application to: Land Bank, 2nd Floor, 710 N. 7th, KCK 66101
Fax 913-321-0237 Phone 913-573-8977
Attn: Land Bank Manager, Chris Slaughter
New Century Bank

2815 Anderson Ave
Manhattan, KS 66502
Phone: 785-532-9066
Fax: 785-539-2249

Dear Phillip & Gloria

Thank you for your application for your new home loan – we will be glad to assist you! My name is Alysha Marionnette McDonald and I will be your loan officer. My loan processor’s name is Liz Hibbard and together as a team here at New Century Bank we hope to provide you with prompt and caring service in order to get you into your new home.

Based on your application you have been pre-approved for a Conventional 30 year fixed rate loan for $188,700 with estimated monthly payment, including taxes and insurance, to be around $1,383.98 with the following requirements:

1. Two Appraisals conducted – One for the subject property and one on the current home
2. New Century Bank taking a mortgage on current home in the amount of $48,200 until you sell your home during construction for the down payment.

Please note that New Century Bank will conduct a two time close, one for the construction loan and one for the permanent loan. The closing cost have been estimated and wrapped into the loan amount so you should only have to only have a cash requirement of $25,000. The construction loan will be an interest only loan at 7%, and New Century Bank will be working toward obtaining the approval for the end loan prior to construction. Should you be approved for the end loan you will automatically be approved for the construction loan.

This pre-approval is based upon your verified income/debts/credit status remaining the same or better, and an appraisal that has been approved by underwriting with a value to support the value of the home.

You will be contacted by our processor, Alysha Marionnette McDonald, requesting documentation from you to continue the processing of your loan. We will send disclosures to you outlining your closing costs, and when we receive them back we will order your appraisal. Your closing will be set once we have final loan approval. You can see that any delays in receiving the documentation will delay your closing.

Your Pre-Approval is good for 90 days.

Thank you again for allowing New Century Bank to assist you!

Sincerely,

[Signature]

Alysha Marionnette McDonald
PRINTABLE INFO SHEET
Series: Aurora Classic Ranch
Modular
Model: AU169A Arlington V

About This Model

Notes:

Commodore Homes | 1423 Lincolnway East, Goshen, IN 46526 | 574-531-7100 | www.commodorehomes.com
Standards & Features

**Interior**
- Smooth Drywall Throughout
- Flat Ceiling with 8' Sidewall Throughout
- Stipple Ceiling
- Coveless Ceiling Joints
- Brushed Nickel Langford 5-Arm Dining Room Light
- Brushed Nickel Langford 3-Arm Nook Light
- Glass Light Shades Throughout
- 6-Panel Interior Doors Through-out
- Pre-Hung Door Jambs
- Mortise Door Hinges
- Metal Interior Passage Sats
- Floor Mount Door Stops
- Smoke Detectors with Battery Back-Up
- Wire Shelving In All Closets
- Brushed Nickel Interior Package
- Includes: Door Handles, Hinges,
- Huntington Brass Metal Faucets and Cabinet Hardware

**Exterior**
- Preline Lantern Light at Front Door
- Patina Square Light at Rear Door
- Two GFI-Protected Exterior Receptacles
- Vinyl Dutch Lap Siding dropped down to Cover Sill Plate
- O.S.B. Sheathing with House Wrap Under Siding
- 5/12 Roof Pitch
- 7/12 Roof Pitch on AU187A &

**Exterior (continued)**
- 16" Fixed Eaves on All 28" &amp; 42" widens
- 12" Fixed Eaves on All 32" widens
- Architectural Shingles
- Ridgevent Roof Ventilation System
- 3/0 x 6/8 Fiberglass 4-Lite Classic Oak Front Door with Deluxe Deadbolt
- Door Handle with Deadbolt
- 3/0 x 6/8 Fiberglass 6-Panel Rear Door
- Door Handle with Deadbolt
- Keyed-Alike Locksets
- Vinyl Insulated Windows with Low-E Glass and Grills
- Double and Triple Windows are Mulled
- 12" Raised Panel Shutters on Front Door Side

**Construction**
- 2x10 Transverse Floor System on 16" Centers**
- 3/4" Tongue and Groove OSS Floor Decking
- 2x10 Double Rim Joist
- 2x6 Exterior Walls on 16" Centers**
- 2x4 interior Walls on 16" Centers**
- 40# Roof Load

**Kitchen**
- GE 30" Free Standing Gas Range with Electronic Ignition
- Power Range Hood with Light
- GE 16 Cubic Foot, No-Frost Refrigerator with Ice Maker

Notes:

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Commodore Homes | 1423 Lincolnway East Goshen, IN 46526 | 574-533-7100 | www.commodorehomes.com
Standards & Features (continued)

Kitchen (continued)
Refrigerator Surround
8" Stainless Steel Single Bowl Sink

Baths
60" One-Piece Fiberglass
Tub/Shower
One-Piece Fiberglass Shower with Glass Door in Glamour Baths
Fiberglass Drop-In Tub in Glamour Baths
Tub Overflows
1.6 Gallon Per Flush Elongated Toilets
China Stool, Tank, and Lid
China Sinks with Overflows and Pop-Up Drains
Lighted Vent Fan in Each Bath
Recessed Medicine Cabinet in Master Bath in Most Models
Anti-Scald Valve on Showers & Tubs

Cabinetry
Evermore Custom Cabinetry
(KCMA Certified)
Hardwood Oak Square Top Raised Panel Cabinet Doors
Hardwood Oak Cabinet Styles
Contemporary Cabinet Hardware
 Concealed Cabinet Hinges
Crown and Under Cabinet Moulding on Overhead Cabinets
30/742" Staggered Height Overhead Lined Overhead Cabinets

Cabinetry (continued)
Adjustable Shelves in Base and Overhead Cabinets
Refrigerator Surround with 24" Deep Overhead Cabinet
Drawer Over Door Base Cabinets
Dovetail Drawer Construction
Full Extension 75# Drawer Guides on all Drawers
Base and Center Shelves in Base Cabinets
Wilson Art Laminate Countertops with Bevel or Crescent Edging
4" Wilson Art Laminate Backsplash
Tip-Out Trays at Sink
Base Shelf in Vanities
33" High Vanities
**Spacing for Framing Members may vary due to Design Requirements

Insulation
R-19 Fiberglass Insulation in Walls
R-38 Avg. Blown Insulation in Ceiling

Utilities
200 AMP Electrical Service & Panel; 4040 Box
Copper Wiring Throughout
95 Plus Efficient Gas Furnace with:
- 6-Panel Furnace Door
- Fiberglass Heat Ducts
- Perimeter Heat System
- Ceiling Air Return System
Air Conditioning Thermostat with 5-Wires
40 Gallon Electric Water Heater

Notes:
Standards & Features (continued)

Utilities (continued)
with Pan
Main Water Line Shut-Off Valve
Water Shut-Off Valves—Where Accessible
Plumb and Wire for Washer
Wire and Vent for Dryer
MO-99 Cabinet Over Washer and Dryer Area
One Exterior Water Faucet

Flooring
Choice of Various Styles of SHAW Carpet
with R2X Soil and Stain Resistance
- 5 Styles: New Day, Echo, Natural Weave, Adaptation or Undertones
- Choice of 20 Standard color options and numerous optional colors
- Standard Carpets are all 25 oz
Rebond Carpet Pad with Tackstrip Carpet Installation
No-Wax Vinyl Floor Coverings, featuring Congoleum
Entry Foyer Vinyl Flooring, featuring Congoleum

Bedrooms
Ceiling Lights
Egress Window Each Bedroom
Wire Shelving in Wardrobes
30" Interior Passageway Doors
Switched Light in All Walk-In Closets

Energy Efficient Standards:
Low-and-high E Vinyl Insulated Windows
85+ Efficient Gas Furnace

Energy Efficient Standards: (continued)
Fiberglass Heat Ducts
Fiberglass Exterior Doors
R-38 Ceiling Insulation (avg.) and R-19
Wall insulation

Notes:

Commodore Homes | 1423 Lincolnway East, Goshen, IN 46526 | 574-533-7100 | www.commodorehomes.com
| City of KCK | 450 Walker Ave | Future development request from Mt. Zion Economic Foundation and Rev C. L. Bachus. | APPROVED |
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<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Address</th>
<th>Extension</th>
<th>Size</th>
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</thead>
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<td>Michael Jackson</td>
<td>3518 N 35th St</td>
<td>3530 N 35th St</td>
<td>Yard Extension</td>
<td>165 X 250</td>
</tr>
<tr>
<td>Maria Flores</td>
<td>3539 Bell Crossing Dr</td>
<td></td>
<td>Yard Extension</td>
<td></td>
</tr>
</tbody>
</table>

The Standing Committee approved the application of Ms. Flores.
Section 1: Personal Information.

1. Applicant's Name: Michael H. Jackson
   Spouse (if applicable): ____________________________

2. Name of Corporation (if applicable): ____________________________

3. Street Address: 5200 W 57th St

4. City, State, Zip: Kansas City, MO 66305

5. Home Phone #: 913-530-5855 Work Phone #: ____________________________

6. E-Mail Address: mjackson1950@yahoo.com

7. List Properties you own in Wyandotte County: 3530 Bell Crossing
   3518 N 35 St

8. Do you (or your spouse) have any Code Enforcement violations? Yes No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: 3530 N 35 St
   o Vacant Land
   o Structure

2. Proposed Use of Property:
   o Yard Extension. Go to section 4.
   o Parking. (Must comply with UG regulations) Go to section 4.
   o Garage. Requires building permit. Go to section 4.
   o Home Addition. Requires building permit. Go to section 3.
   o Commercial Construction. Requires building permit. Go to section 3.
   o Rehabilitation of existing structure. Requires building permit. Go to section 3.
   o Other: ____________________________

Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes__ No__
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual__ Corporation__ Nonprofit__
   Other: ____________________________

3. Must attach a letter of credit or pre-approval letter from your bank.

4. Must attach drawings for your proposed project.

5. Proposed use of property:
   o Home Ownership.
   o Rental Home.
   o Business/Commercial Use.
   o Apartments.
   o Other, Specify: ____________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ______

7. Will you seek Neighborhood Revitalization Tax Rebates? ______

8. Starting Project Date: ____________ Completion Date: ____________

Comments:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

I would like to purchase the property
3530 N 35th St. to extend my yard. This
way I can ensure this property is close compared
How can I get the Land Bank property
for $15,000?

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I
have read the unified government's Land Bank policy and agree to the terms and
conditions of it. I understand that the unified government reserves the rights to reject
any proposal without cause.

Applicant's Signature: ____________________________ Print Your Name: ____________________________ Date: 01/21/15

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Wyandotte County Land Bank

Best & Final Check Off List

Your Best and Final Must Contain the Following Items:

1. Total Bid for Property(s):
   - 3530 N 35th St  $750.00
   (The quoted price for this property is $150.00)

2. Proposed Plan for Site(s):
   Extend my property line so I can maintain and keep clean this property.

Applicants Signature: 

[Signature]
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Section 1: Personal Information.
1. Applicant’s Name: Maria Lourdes Flores
   Spouse (if applicable):______________________________________________
2. Name of Corporation (if applicable):________________________________
4. City, State, Zip: Ottawa Kansas 66067
5. Home Phone #: (913) 219-0855 Work Phone #:__________________________
6. E Mail Address:___________________________________________________
7. List Properties you own in Wyandotte County: 3539 Bell crossing
   3562 North 35 th street
8. Do you (or your spouse) have any Code Enforcement violations? Yes _ No X
9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes _ No__

Section 2: Proposed Land Bank Purchase.
1. Address(s) of Property: 3530 N 35 th Kansas City KS
   • Vacant Land
   • Structure
2. Proposed Use of Property:
   • Yard Extension. Go to section 4.
   • Parking. (Must comply with UG regulations) Go to section 4.
   • Garage. Requires building permit. Go to section 4.
   • Home Addition. Requires building permit. Go to section 3.
   • New Home Construction. Requires building permit. Go to section 3.
   • Commercial Construction. Requires building permit. Go to section 3.
   • Rehabilitation of existing structure. Requires building permit. Go to section 3.
   • Other:__________________________________________________________
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes__ No__ (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual__ Corporation__ Nonprofit:__ Other: ____________________________________________

3. Must attach a letter of credit or pre-approval letter from your bank.

4. Must attach drawings for your proposed project.

5. Proposed use of property:
   o Home Ownership.
   o Rental Home.
   o Business/Commercial Use.
   o Apartments.
   o Other, Specify: ____________________________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ______

7. Will you seek Neighborhood Revitalization Tax Re却es? ______

8. Starting Project Date: ________________ Completion Date: ________________

   Comments:
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

________________________________________________________________
________________________________________________________________
________________________________________________________________
________________________________________________________________

Incomplete applications will not be considered and will be returned to the sender. As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government’s Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

Maria Deardes Flores  Maria Deardes Flores  3-20-15
Applicant’s Signature  Print Your Name  Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Wyandotte County Land Bank

Best & Final Check Off List

Your Best and Final Must Contain the Following Items:

1. Total Bid for Property(s):
   - **3530 N 35th St** $1,800
   
   (The quoted price for this property is $1650.00)

2. Proposed Plan for Site(s):

   I want this property because 3 years ago my house was set on fire. I moved to Florida a couple of years ago and I want to move back to my property because I got permission to place a mobile home and I plan to live there. I'm a single mom with 5 girls. I just want to feel safe and have more space. I've noticed that there is a lot of trash in this property like tires and more trash because people like to dump trash there. There was trash on my property and cleaned it up I would be happy to get this property and clean it up. This is why I'm interested in this property thank you.

Applicants Signature: Maria Flores